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Theater of the Holy: Performative Elements of Late Ancient Hymnography*

Laura S. Lieber

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A script is merely an artifact until a performer brings it to life; a text is a starting point, despite the fact that its finality suggests a destination. With works that were meant to be performed in some fashion (however generously understood “performance” may be¹), the dynamic relationship between performer and audience shapes and even defines their reception; such works, fully expressed, are visual, auditory, and kinetic. The written word may mediate this relationship, shaping the arc of the narrative and the words of the characters, but it is performance that gives the narrative life and the characters voices and bodies.

In this paper, a selection of poems from late antiquity—Aramaic, Hebrew, and Greek; Jewish and Christian; narrative and non-narrative—provides a basis for articulating and highlighting the “off the page” elements of these works and the consequences of these techniques “on the ground.” That is, these texts will be mined for clues about what made them appealing as performed, living works as well as the constructive consequences of these works in shaping the worldviews

* A version of this paper was originally presented at the Byzantine Studies Association of North America 2012 annual meeting and subsequently to the Yale Workshop in Ancient Judaism. My thanks to Derek Krueger for organizing the BSANA panels on comparative hymnography and to Anne Schiff for the invitation to Yale. I am also grateful to the participants in the European Association of Biblical Studies consultation on poetry and prose (Amsterdam, July 2012) for the inspiration to pursue this line of thinking. I am indebted to Ophir Münz-Manor, Peter Sh. Lenhardt, Moshe Lavee, Michael D. Swartz, and Kevin Kalish for their insightful comments on my earlier work on this material as well as their own influential presentations. I am grateful as well to Georgia Frank for introducing me to the *progymnasmata* material. All errors, misstatements, and missteps in this paper are the present author’s alone.

¹ Even reading silently or in solitude involves an implicit kind of performance, as the reader “hears” speech in his or her mind and envisions certain elements of the “staging.” By some definitions, just as every text has an audience, every work also has some performative elements, some simply more explicitly than others.

of those who viewed them. Such an analysis will serve a number of functions: it will help articulate the formal, experiential, and aesthetic complexity of the works; it will help us understand what may have made these poems meaningful, pleasing, or at least popular; it will shed light on possible modes of performance; and it will enrich our ability to read *piyyutim* (Jewish liturgical poems; sg. *piyyut*) and other hymns in the context of late ancient society more broadly, thus providing a model for a new form of comparative hymnographic study.

Recent scholarship has amply demonstrated Christian and Jewish exposure to and attitudes towards theater and other forms of performance, especially oratory, in late antiquity. While cultural and religious elites, including the church fathers (notably Chrysostom) and the rabbis (particularly in the Tannaitic period, ca. first to early third centuries C.E.), voiced their disapproval of their communities' attendance at public spectacles, particularly at the blood sports, careful analysis of the textual and material records from late antiquity indicates a widespread familiarity with theater and oratory.² Although we possess patristic and rabbinic sources that reflect knowledge of and encounters with the worlds of theater and oratory, the influence of such forms of entertainment on liturgical works remains relatively unexplored and less well articulated.³ In this essay, a selection of liturgical works

² Ruth Webb, *Demons and Dancers: Performance in Late Antiquity* (Cambridge: Harvard University Press, 2009), provides the most comprehensive and insightful overview of performance in the late ancient context. Also note Przemysław Marciniański's *Greek Drama in Byzantine Times* (Scientific Papers of the University of Silesia in Katowice 2306; Katowice, Poland: University of Silesia Press, 2004). For more on the Jewish encounter with theater, spectacle, and oratory, the most comprehensive analysis of rabbinic attitudes towards theater remains Zeev Weiss, "Games and Spectacles in Roman Palestine and Their Reflection in Talmudic Literature" (Ph.D. diss., Hebrew University of Jerusalem, 1994) [Hebrew]; for an English summary, see his article "Adopting a Novelty: The Jews and the Roman Games in Palestine," in *The Roman and Byzantine Near East: Some Recent Archaeological Research* (ed. John H. Humphrey; Journal of Roman Archaeology Supplementary Series 14, 31, 49; 3 vols.; vol. 1: Ann Arbor, Mich.; vols. 2–3: Portsmouth, R.I.: Journal of Roman Archaeology, 1995–2002) 2:23–49. See, too: Moshe D. Herr, "Synagogues and Theaters (Sermons and Satiric Plays)," in *Knesset Ezra: Literature and Life in the Synagogue; Studies Presented to Ezra Fleischer* (ed. Shulamit Elizur et al.; Jerusalem: Ben-Zvi Institute, 1994) 105–19 [Hebrew]; Martin Jacobs, "Theatres and Performances as Reflected in the Talmud Yerushalmi," in *The Talmud Yerushalmi and Graeco-Roman Culture* (ed. Peter Schaefer [vol. 2 also ed. Catherine Hezser]; 3 vols.; TSAJ 71, 79, 93; Tübingen: Mohr Siebeck, 1998–2002) 1:327–47; and Gideon Bohak, "The Hellenization of Biblical History in Rabbinic Literature," in *Talmud Yerushalmi and Graeco-Roman Culture*, 3:3–16. Most recently, and addressing these published works, see Loren R. Spielman, "Sitting with Scorners: Jewish Attitudes toward Roman Spectacle Entertainment from the Herodian Period through the Muslim Conquest" (Ph.D. diss., Jewish Theological Seminary of America, 2010). Within the Christian context, beyond those works cited below, of particular importance is Blake Leyerle, *Theatrical Shows and Ascetic Lives: John Chrysostom's Attack on Spiritual Marriage* (Berkeley: University of California Press, 2001).

³ The topic of orality in rabbinic literature, particularly in the earlier body of works (ca. early 3rd cent.), has received significant attention in the last decade, and many of the relevant studies attend specifically to the performative and rhetorical elements of these oral traditions. Of particular note are Martin S. Jaffee, *Torah in the Mouth: Writing and Oral Tradition in Palestinian Judaism, 200 BCE–400 CE* (Oxford: Oxford University Press, 2001), where the author emphasizes the

will be examined with an eye towards elucidating their “theatrical” appeal. For analytical purposes, this work begins with the assumption that authors, performers, and audiences in antiquity (Jewish and Christian) were familiar with the standards of performance generally speaking. The effort here is to uncover evidence within the liturgical texts examined that supports the emerging sense of the performed experience of these works.

The six poems examined here, chosen because they illustrate a variety of important rhetorical techniques, share some contextual elements in addition to being chronologically roughly contemporaneous, all dating to about the fifth through early seventh centuries C.E.: the four Jewish poems, though in two different languages and reflecting two different performative contexts, share a life setting in the observance of the Ninth of Av, the fast day that commemorates the destruction of the temple in Jerusalem; the two Christian hymns, both by Romanos the Melodist, were performed at the end of Holy Week (Good Friday and Holy Saturday, specifically). Each work thus takes as a starting point what may be considered among the bleakest moments in a community’s sacred history, a moment of existential crisis: the destruction of a temple; the crucifixion of a Savior.⁴ At the same time, the conceptual setting of each

importance of the *chreia* (anecdote) in rabbinic literature, using the Greco-Roman *progymnasmata* to inform his study; Catherine Hezser, *Jewish Literacy in Roman Palestine* (TSAJ 81; Tübingen: Mohr Siebeck, 2001); Steven D. Fraade, “Literary Composition and Oral Performance in Early Midrashim,” *Oral Tradition* 14 (1999) 33–51; idem, “Language Mix and Multilingualism in Ancient Palestine: Literary and Inscriptional Evidence,” *Jewish Studies* 48 (2012) 1*–40* (English section); and idem, “Concepts of Scripture in Rabbinic Judaism: Oral Torah and Written Torah,” in *Jewish Concepts of Scripture: A Comparative Introduction* (ed. Benjamin D. Sommer; New York: New York University Press, 2012) 31–46. All are rich and multifaceted studies that engage in the dynamics between text and orality both from within the textual sources themselves and with attentiveness to material culture and, perhaps to a lesser extent, more theoretical analyses. Serious interest in the oral and rhetorical elements of rabbinic literature dates back to the mid-20th cent. and the works of such scholars as Saul Lieberman (author of, among many other works, *Greek in Jewish Palestine / Hellenism in Jewish Palestine* [New York: Jewish Theological Seminary of America, 1994], a single-volume reprint of works originally printed in 1965 and 1962, respectively) and David Daube (author of, e.g., “Rabbinic Methods of Interpretation and Hellenistic Rhetoric,” *HUCA* 22 [1949] 239–64). This, in turn, arose in part out of the interest of New Testament scholars in the Hellenistic nature of certain rhetorical elements of Christian writings, including Jesus’s parables in the New Testament and the writings of early church fathers. The present study innovates in its approach to the Jewish material in its attention to liturgical poetry, a later body of writing than that treated by scholars of rabbinics in general and one that—unlike prose texts such as midrash (rabbinic exegesis of Scripture), Mishnah-Tosefta (early legal writings), and Targumim (Aramaic translations of the Bible), at least as we now possess them—retains a strong affinity for its lived, performative setting. That is, it is not clear that we can assume rabbinic and targumic sources now in our hands offer in any simple or linear way a clear sense of how they were experienced by listeners in antiquity. Liturgical poems, while also possessed of complicated questions of precise life setting, permit a more direct assumption of an audience’s presence (their “gaze”) at the performance of a work at least very similar to the literary version now available. That said, the work done here anticipates the reconstruction of a kind of “rhetorical continuum” connecting works of different genres and even confessional backgrounds that nonetheless share essential rhetorical techniques.

⁴ The traditions themselves suggest this connection through the reading of the biblical book of Lamentations, a text the Ninth of Av and Holy Week have in common.

poem anticipates the pivot to a redemptive moment in each group's sacred history: affirming the experience of the transience of exile and the reality of the world to come; narrating the redemption of the world and the triumph of the deity over Death personified. The task of bringing Scripture and history to life for the listeners who, in turn, become part of the story provided liturgical poets with opportunities to display a variety of engaging performative techniques. Even as they collapsed the distance between sacred history and the present tense, they also created a dramatic "show" for a liturgical audience that was both existentially and, through elements such as refrains, quite literally itself part of the story on the stage.⁵

Five techniques and performative elements commonplace in the oratorical and theatrical world of late antiquity, especially Byzantine liturgical works, stand out as particularly relevant to the study of liturgical poetry: *ethopoia* (speech in character), *ekphrasis* (placing before the eyes), dialogue, choruses/repetition, and nonverbal elements such as gesture and body language. The first two categories, *ethopoia* and *ekphrasis*, constitute specific exercises from ancient rhetorical handbooks (*progymnasmata*); within *ekphrasis*, two particular qualities—*enargeia* (vividness) and *phantasia* (painting in the mind)—will merit attention shortly. With regard to dialogue and repetition, choral and otherwise, these familiar features of poetry will be examined in light of their performative elements. Gesture is the element most difficult to demonstrate, but if liturgical performance reflected the conventions of performance more generally as we know them from oratory and popular theater, particularly mime and pantomime, then modern readers and scholars need not resist the imaginative enterprise of conjecturing ways in which gesture and body language could have enlivened liturgical performances.⁶

The comparative study of poems across linguistic and confessional boundaries highlights the fact that poets and their audiences participated in a larger artistic-aesthetic culture; it is not a matter of techniques originating in one community and spreading to another but rather of a variety of poets reflecting a consensus of how poetry "works." Simply put, the rhetorical and performative techniques available

⁵ On performative elements in late ancient hymnography, note particularly the fine work on Romanos: Derek Krueger, "The Liturgical Creation of a Christian Past: Identity and Community in Anaphoral Prayers," in *Alternatives to the Classical Past in Late Antiquity* (ed. Christopher Kelly, Richard Flower, and Michael Stuart Williams; vol. 1 of *Unclassical Traditions*; Cambridge Classical Journal Supplementary Volume 34; Cambridge, U.K.: Cambridge Philological Society, 2010) 58–71; idem, "Romanos the Melodist and the Christian Self in Early Byzantium," in *Plenary Papers* (ed. Elizabeth Jeffreys; vol. 1 of *Proceedings of the 21st International Congress of Byzantine Studies: London, 21–26 August 2006*; Aldershot, U.K.: Ashgate, 2006) 247–66; and Georgia Frank, "Romanos and the Night Vigil in the Sixth Century," in *Byzantine Christianity* (ed. Derek Krueger; vol. 3 of *A People's History of Christianity*; Minneapolis: Augsburg Fortress, 2006) 59–78. Within the Jewish context, see Laura S. Lieber, "The Rhetoric of Participation: The Experiential Elements of Early Hebrew Liturgical Poetry," *JR* 90 (2010) 119–47. Specifically in regards to the Aramaic poems, see Laura S. Lieber, "Setting the Stage: The Theatricality of Jewish Aramaic Poetry from Late Antiquity," *JQR* 104 (2014) 537–72.

⁶ The best treatment of gestures in both oratory and theater in antiquity is Gregory S. Aldrete, *Gestures and Acclamations in Ancient Rome* (Baltimore: Johns Hopkins University Press, 2003).

to the poets in antiquity are no more “Christian” or “Jewish” than the tools they might have used to build a house; the resulting structure may be identifiable as belonging to one group or the other, but the implements were shared.

■ The Aramaic Poems

In terms of their performative setting, we know little about the Aramaic poems preserved in the Cairo Genizah aside from what the poems themselves reveal.⁷ While Aramaic laments vary in form, the two presented here are straightforward, even stark, in their simplicity, and regardless of performative setting, aspects of their audiences’ daily, lived reality can be gleaned from careful examination.⁸ Ultimately, these works are defined more by form and pattern than content. Too long to be lyrical, too static to be dramatic, these poems challenge modern scholars to discern what makes them “good” or at least engaging.

The poem that opens “I shall go forth weeping” (*'Ana 'azel ve'evkeh*) displays a clear and fairly typical structure for Jewish poems of this period.⁹ The poem is brief, consisting of eleven stanzas. Each stanza opens with the word “over” (*'al*), which introduces a rhyming couplet; in turn, each stich of the couplet embeds a letter from an alphabetical acrostic that runs from *alef* to *tav*; and following each couplet comes the refrain from Lam 3:48, which the congregation would likely have recited. The stanzas are simple, terse, and repetitive. In terms of content, each stanza

⁷ The question of the life setting of the various Aramaic poems remains unsettled. Michael Sokoloff and Joseph Yahalom state in the introduction to their critical edition of the relevant body of Aramaic poems that the works represent a vernacular, popular literature separate from liturgical ritual and conflicting with the sensibilities of the rabbinic sages (*Jewish Palestinian Aramaic Poetry from Late Antiquity: Critical Edition with Introduction and Commentary* [Jerusalem: Israel Academy of Sciences and Humanities, 1999] 42). Menahem Kister offers a somewhat more nuanced and open-ended view of this issue; see his detailed and insightful article “Jewish Aramaic Poems from Byzantine Palestine and Their Setting,” *Tarbiz* 76 (2007) 105–84 [Hebrew], esp. 113–22. Ultimately, the interpretations offered here, while undoubtedly enriched by considerations of *Sitz im Leben*, are not nullified by the elements of uncertainty. The rhetorical techniques under discussion would have remained effective—if albeit to different and intriguing ends—whether the poems were presented in a liturgical, para-liturgical, or non-liturgical setting.

⁸ One significant element of performance is the physical stance of the performer in relation to the audience: did the performer face his listeners or did he face away from them? In a non- or para-liturgical setting, it seems highly plausible that the narrator faced his audience; we have some evidence as well that suggests that even in a liturgical setting—unlike in medieval and modern practice—liturgical functionaries may have faced the communities during certain parts of the liturgy while at other times, or in certain communities, the leader of the prayers may have faced the same direction as the community, either in front of the assembly or from a podium within their midst. Archaeological and textual evidence indicates that a variety of configurations were employed in late ancient Galilee (see Lee I. Levine, *The Ancient Synagogue: The First Thousand Years* [2nd ed.; New Haven, Conn.: Yale University Press, 2005] 236–37, 338–39, and 376–77). As Levine notes, “Synagogue liturgy was not usually concentrated in one area of the main hall, but rather spread over several foci throughout the nave, each reserved for a specific mode of worship” (634).

⁹ Text is from Sokoloff and Yahalom, *Jewish Palestinian Aramaic Poetry*, 158–60; it is poem #21. The English translation of this text is provided by the present author.

laments a component of Israelite society destroyed by the (unnamed) enemy; the scale of loss ranges from the national (the exile of the people and the destruction of the temple) to the intimate (the murder of children and the burning of books). The poem lacks any obvious narration: it has no beginning or end, and no detectable motion forward, outward, up, or down. While the acrostic indicates its formal completeness, its content suggests it is merely an excerpt from an extended lament.

Viewed from most perspectives, this poem is competently executed but unexceptional: it is not the best poetry, but neither is it bad. The form is clear but not clever: it is sufficiently ornate to be interesting but not dazzling in its artistic intricacy. The content is dramatic but a bit disorganized: rather than going somewhere, it seems to tread water. Despite these deficits, it is possible to conceive of ways in which performance might have significantly enlivened the experience of this poem, and this awareness of oratorical artistry from antiquity might, in turn, enrich our understanding of it. The written word is the genesis, not the terminus, of this poem's life.

While the images that constitute the narrative of the poem seem haphazard—the poet moves from the nation, to babies, to the temple, to prisoners, back to babies, then to elders, etc.—the various elements can be regarded as components of a mosaic. As in a mosaic, in which a picture emerges gradually as a whole from many small tesserae, here discrete images come together in a vivid whole, akin to the technique ancient orators knew as *ekphrasis*.¹⁰ Each stanza illustrates the sense of loss through a small, concrete episode of destruction. The poem's imagery depicts archetypal horrors: babes are strangled, books are burned, elders are driven into exile. A unitary picture emerges from the composite, suggesting a technique resembling *enargeia* or *evidentia* (literally “vividness” in Greek and Latin respectively). Through these visuals, the poet creates a sense of a mourner lost in the moment, taking in a fresh scene of tragic loss. The audiences constitute witnesses to these losses, but through the refrain they become more than witnesses: they become active participants. They themselves become mourners.

¹⁰ The significance of *ekphrasis* for the study of late ancient poetry was first noted by Michael Roberts in his *The Jeweled Style: Poetry and Poetics in Late Antiquity* (Ithaca, N.Y.: Cornell University Press, 1989). The “jeweling” of poetry usually refers to the mosaic-like way in which these works from late antiquity use quotations as a kind of aesthetic element. Joseph Yahalom was among the first *piyyut* scholars to recognize the importance of Roberts's insights for the field of synagogue poetry; see his *Poetry and Society in Jewish Galilee of Late Antiquity* (Tel Aviv: United Kibbutz, 1999) 14–20 [Hebrew]. See also Michael D. Swartz and Joseph Yahalom, *Avodah: An Anthology of Ancient Poetry for Yom Kippur* (University Park, Pa.: Pennsylvania State University Press, 2005) 11–15; and, more in-depth, Michael D. Swartz, “The Force and Function of Hebrew Poetry in Late Antiquity,” in *Continuity and Renewal: Jews and Judaism in Byzantine-Christian Palestine* (ed. Lee I. Levine; Jerusalem: Ben-Zvi Institute, 2004) 452–62 [Hebrew]. Most recently, see Michael Rand, “Compositional Techniques in Qallirian Piyutim for Rain and Dew,” in “From a Sacred Source”: *Genizah Studies in Honour of Professor Stefan C. Reif* (ed. Ben Outhwaite and Siam Bhayro; Cambridge Genizah Studies 1; Études sur le judaïsme médiéval 42; Leiden: Brill, 2010) 249–87.

The immediacy of these images, narrated in the first person but also experienced in the first person through the refrain, suggests the second rhetorical element of this poem, *ethopoia*, the imaginative act of speaking from the perspective of a character from the classical canon. Ancient rhetorical handbooks suggest topics for such exercises: Andromache grieving Hector, Achilles mourning Patroclus, Niobe bewailing her children.¹¹ The imaginative scenarios favored by rhetoricians for this kind of practice are those that evoke strong emotion, and the subject of grieving is particularly common. In *ethopoia*, the speaker speaks in the first person, reflecting a character's feelings "in the moment," which means that *ethopoia* in a liturgical context is more complicated than in simple oratory: in its liturgical setting, given the likelihood that the community joined the poet in the recitation of the refrain, we can understand the effect of this rhetorical device as that of involving the audience in the act of lament. The poet presents his audience with a persona, functionally the narrator and the audience together, immersed in the vividness of the past, uttering as one the phrase from Lamentations "My eye, my eye flows with tears." The listeners speak *with* the speaker; they "do" *ethopoia* themselves. A verse redolent with biblical flavors becomes the voice of a communal character. The stanzas create a context for the audience in which to understand their own lines, which they then speak in character, in the refrain.

Considering this poem from the perspective of *ethopoia* and performance brings to the fore issues of performative interpretation. In keeping with mainstream aggadic interpretations of the Lamentations verse that serves as the refrain, this poem is written in the divine voice, itself a conceptually bold move, and it is worth pausing for a moment to contemplate the embodied nature of that voice. Many of the laments cited in the *progymnasmata* as suitable topics for *ethopoia* are uttered by women—Niobe mourning her children is a particularly popular and appropriate parallel—and long-standing tradition in the ancient Near East and Mediterranean worlds associates mourning, and particularly public grieving, with women. Aggadic sources, expanding imagery already present in the Hebrew Bible, are rich with images of the divine presence (the Shekhinah) depicted as mourning Israel and lamenting over the temple, even as she accompanies Israel into exile.¹² It is possible that this passage, too, should be heard in the maternal voice of the Shekhinah or even Zion. Grammatically, of course, such a reading is not required, as the first person is unmarked for gender, and the fact that the speaker of the verse in Lamentations is masculine may even militate against it. Even should a male voice be assumed, however, that would provide a striking and somewhat unusual image of masculine

¹¹ See George A. Kennedy, *Progymnasmata: Greek Textbooks of Prose Composition and Rhetoric* (SBLWGRW 10; Atlanta: Society of Biblical Literature, 2003); and ΗΘΟΠΟΙΑ. La représentation de caractères entre fiction scolaire et réalité vivante à l'époque impériale et tardive (ed. Eugenio Amato and Jacques Schamp; Salerno: Helios, 2005).

¹² Mek., *Shirta* 2; Lam. Rab., *petihta* §25; see, too, the discussion in Michael Fishbane, *Biblical Myth and Rabbinic Mythmaking* (Oxford: Oxford University Press, 2003) esp. 132–59.

grief.¹³ Ultimately, while we can read and imagine the verse in various performative configurations, performance itself cannot be a gender-neutral experience. While the speaker of the work would have without a doubt been male, male actors and orators in antiquity learned to perform in both masculine and feminine personae. Whoever claimed this work would have had to understand how he, or the poet, heard the voice.

As crucial as the voice of the performer, who would have claimed the various stanzas of the poem, no doubt was, the refrain complicates our analysis. The refrain of this poem, which is likewise in the divine voice, may well have been recited by a (presumably male) chorus or perhaps the (mixed-gender) community. It is important to recall that a single “script” could have been performed in different ways in different communities, depending on size, wealth, and liturgical norms, among other factors. A male chorus would have reinforced the masculine nature of the voice, while a communal response, particularly if we assume male and female attendees, would have blurred or rendered ambiguous the gender associations. Through the force of this rhetoric, the community not only would have witnessed events as if through God’s eyes, they themselves would have spoken with the divine voice. Heavenly and terrestrial perspectives would thus have merged. Human voices, singular and collective, articulated divine grief over the destruction of Jerusalem.

The use of the refrain brings to the fore a final point of consideration from the world of ancient performance. In addition to the intellectual exercise of imagining the experience of grief, we must envision its physical performance, for mourning in the ancient world was accompanied by stereotypical gestures, postures, and body language.¹⁴ The performer bringing this piece to life could easily have made use of these gestures, and while such physical posturing is not required here (as it may be in other instances noted below), it is worth cultivating an appreciation of the physicality of performance. While to a modern audience such posturing might seem artificial,¹⁵ to an audience in antiquity we can assume such physical elements

¹³ See Frank’s discussion of Peter’s unusually emotional expressions of grief in Romanos’s *kontakion* “On Peter’s Denial” in “Romanos and the Night Vigil,” 75; and also note Ann Suter, “Male Lament in Greek Tragedy,” in *Lament: Studies in the Ancient Mediterranean and Beyond* (ed. eadem; Oxford: Oxford University Press, 2008) 156–80.

¹⁴ As early as the Tosefta (pre-250 C.E.), we have evidence of kerchiefs being waved to cue an assembly to say “amen.” See *t. Sukkah* 4, 6 (ed. Saul Lieberman, 4:891–92), although the custom is located in an Alexandrian synagogue: “When one came to take hold of the Torah scroll [to read the Torah portion], he [the *hazzan*] would wave the kerchiefs and all the people would say ‘amen’ for each blessing.”

¹⁵ Of course, contemporary rhetoric and performance (from high theater to political stump speeches to stand-up comedy) is likewise governed by conventions that, while taken for granted and generally unnoticed by contemporary audiences, would, if viewed by outsiders, no doubt seem formulaic, artificial, or even strange. Of particular relevance, see William B. Worthen, *Modern Drama and the Rhetoric of Theater* (Berkeley: University of California Press, 1992). If such speaking were simply “natural,” courses in how to speak (whether on the stage or in a meeting) would not be necessary.

would have augmented the emotional power of the text itself and reflected the oratorical skill of the declaimer(s).

The second Aramaic poem considered here is the lament “Sing for Us” (*Shiru lanu*).¹⁶ Like the previous poem, its form is simple: twelve stanzas consisting of rhyming couplets that embed an alphabetical acrostic.¹⁷ This work also has a refrain, but instead of a single verse repeated eleven times, two verses from Psalm 137 alternate. The narrative conceit of this work is more complex than that of the previous poem, and as a consequence issues of presentation are more complicated, as well: rather than a lament performed from a single character’s perspective, here we find an antiphonal structure that, rooted in and amplifying the imagery and language of Psalm 137, recreates a back and forth between the exiled Israelites and their Babylonian captors.

The dialogical structure of this poem immediately suggests certain elements of its performance. As it is written, the poem must have been performed in two voices in order to be comprehended, whether articulated by a single speaker adopting two distinctive postures and tones or, more elaborately, two separate “actors” or even an actor and a chorus or two choruses. The poem itself lacks any explicit narration to indicate changes in speaker. The script on the page is, on its own, insufficient, and listeners do not have the cognitive luxury of review that readers possess. Rhetorically, this piece may echo both the ancient Mesopotamian literary form of the dispute poem and the claim-counterclaim rhetoric attested in the *progymnasmata* of late antiquity.¹⁸ In these oratorical exercises we find prompts for debates (back-and-forth deliberative speeches) between Ajax and Odysseus and among the Trojan women.¹⁹ These debates, which appear in works Ruth Webb describes as “rhetorical epics,”²⁰ often begin with scenes derived from mythology—a role played by “classic” images from the biblical canon for the Jews. That is, a staging of Israelites by the shores of the rivers of Babylon functioned as a “mythological”

¹⁶ Sokoloff and Yahalom #22 (*Jewish Palestinian Aramaic Poetry*, 160–63). An English translation of this text is provided by the present author.

¹⁷ In the previous poem, each stich embedded one letter from the alphabet, hence twenty-two stichs overall. Here, there are twenty-four stichs because the penultimate stanza embeds only the letter *shin* while the final stanza embeds only *tav*. This is done for formal reasons, to balance the number of stanzas given to each “voice.”

¹⁸ On these two genres see *Dispute Poems and Dialogues in the Ancient and Mediaeval Near East: Forms and Types of Literary Debates in Semitic and Related Literatures* (ed. Gerrit Jan Reinink and Herman L. J. Vanstiphout; OLA 42; Louvain: Peeters, 1991); and *Syriac Polemics: Studies in Honour of Gerrit Jan Reinink* (ed. Wout Jac. van Bekkum, Jan Willem Drijvers, and Alexander Cornelis Klugkist; OLA 170; Louvain: Peeters, 2007). Within the Hebrew poetic tradition in particular, see Eden Hacohen’s essay “Studies in the Dialogue Format of Early Palestinian *Piyutim* and Their Sources, in Light of Purim Expansions,” *Jerusalem Studies in Hebrew Literature* 20 (2006) 97–171 [Hebrew].

¹⁹ See the discussion of claim-counterclaim rhetoric in Ruth Webb, “Poetry and Rhetoric,” in *Handbook of Classical Rhetoric in the Hellenistic Period, 330 B.C.–A.D. 400* (ed. Stanley E. Porter; Leiden: Brill, 1997) 339–69.

²⁰ Webb, “Poetry and Rhetoric,” 355.

scene for the Jews in the same way that the *Iliad*, *Odyssey*, and *Aeneid* did for their non-Jewish counterparts.

Beyond this suggestion of staging, we can see that the poet has created two personae, using the technique of *ethopoia*: he expansively imagines the dialogue between captives and captors. The Babylonians frequently make use of questions, which at first seem merely naïve but upon reiteration become almost cruelly unfeeling: “Why [are you] so sad? Why [are you] sitting in darkness?” (stanza 3); “Why do you weep? Why are you sighing and sobbing?” (stanza 7); and, if we translate colloquially, “Relax! How can you suffer so? Oh, you are so morose!” (stanza 11). The callousness of the Babylonians is rooted in and underscored by the biblical refrain: “Sing for us [one of the songs of Zion]!” The Israelite exiles, for their part, express their sense of loss and longing through their equally stubborn reiteration of Ps 137:4. The exiles are nonconfrontational and oriented almost totally inward, as minimally engaged with their tormenting captors as possible; their speech functions almost as an intra-Israelite dialogue. Although prodded into words by the Babylonians, the Israelites seem to talk primarily to each other and, by extension, to the audience that is composed of their descendants. In doing so, they explain their situation to themselves rather than to their captors.

The conversation, however, is not static; it appeals in particular to an array of senses and conveys a subtle kind of physicality: the parties call to each other to hear, see, act, feel, and taste. The sense of grief and loss becomes multidimensional. But even more powerfully, the emphasis in the poem on mourning and grieving suggests that here, too, the body language of the performers may have been significant in shaping any dynamic between the two voices, i.e., in crafting the interpretation. What was the posture of “Israel,” compared to the “Babylonians”? Were the hand gestures indicators of despair, grief, or anger? How did the intonation of the refrains change, if at all, during the course of the poem? In short, for as much as there is “on the page” here, there are layers of elements to the performativity of these works that we can only conjecture.

Overall, these two Aramaic laments exemplify a kind of minimalist performance aesthetic. Their language is simple and accessible, the forms clear and straightforward. The richness of these works would depend on intangibles, including the skill of the orator/performer and his use of gesture and voice to create emotional depth.

■ The Hebrew Poems

Where the Aramaic poems are episodic “snapshots,” detailed in their imagery but sparing in action, the two Hebrew works examined here illustrate the dynamic narrative potential of performed *piyyutim* (synagogue poems). Both of these works were composed by Eleazar berabbi Qallir, a prolific liturgical poet of the late sixth / early seventh centuries, from Galilee, whose style defies any kind of

stereotyping.²¹ The first poem, “When Her Quota (of Grief) is Filled” (*'Az bimel'ot sefeq*), depicts an encounter between personified Zion and the prophet Jeremiah; the second, an excerpt from a lengthy *piyyut* written for the Ninth of Av, describes the tremendous battle between Behemoth and Leviathan in the world to come. In contrast to the two Aramaic laments, which are visually rich but offer little sense of narrative, these works display a flair for dramatic creativity.

Qallir's lament (*qinah*), which opens “When her quota is filled,” is roughly twice the length of the Aramaic poems.²² Each stanza consists of four rhyming stichs, and while it shares with the Aramaic works the structuring feature of an alphabetical acrostic, here each letter governs two stichs. On the other hand, this poem lacks any kind of refrain, chorus, or other patterned repetition. Its performative impact, then, derives from its broad narrative arc as much as from its more pointilistic details, from its boldness more than its subtlety.

The poet orchestrates the action with a clear sense of theatricality: the initial stanza sets the stage, but the rest of the poem is presented as a conversation among three characters (Jeremiah, Zion, and God), which makes it distinctive from the dispute or dialogue poems that are more common. Significantly, however, the text of the poem never indicates changes in speaker. This lack of verbal cues suggests that the speaker must have indicated the change of character by means of voice, posture, or gesture. Indeed, we can imagine that viewers, far from being passive listeners, would have gained a great deal of insight into the action based on the physical performance even if they did not comprehend every word of the text, although the language of the poem is quite simple and straightforward, especially for Qallir.

As with the Aramaic poems, it is useful to consider these poems from the perspective of classical rhetoric. To some extent, the persona of Zion (an example of *prosopoiia*, personification, rather than *ethopoia*) recalls the mournful speaker of the first Aramaic *piyyut*, in which the first-person speaker laments the destruction of city and populace. While that poem is a soliloquy embellished by audience participation, this work relies entirely on dialogue. The figures speak and respond to each other. As a result, it seems likely that the performer(s) must have in some fashion embodied their roles and supplied gestures to underscore and make more

²¹ Where the life setting of the Aramaic poems cannot be determined with precision, the poems by Qallir—like those of Romanos—were composed explicitly for inclusion in the liturgy and thus permit the assertion of a synagogue context. That said, the synagogue in antiquity served many functions, and much about the early liturgy remains unknown, so we cannot in truth determine much more about the *Sitz im Leben* of these poems than we can for the Aramaic works.

²² The Hebrew text used here is that of E. Daniel Goldschmidt, *The Order of Laments for the Ninth of Av: According to the Custom of Poland and Ashkenazi Congregations in the Land of Israel* (Jerusalem: Rabbi Kook Institute, 1968) 1012 [Hebrew]. The work is catalogued as 2108 in Israel Davidson, *Thesaurus of Mediaeval Hebrew Poetry* (4 vols.; New York: Jewish Theological Seminary of America, 1924–1933) [Hebrew]. The English translation is original to the present author, although readers may also wish to consult the version (Hebrew and English) in T. Carmi, *The Penguin Book of Hebrew Verse* (New York: Penguin Books, 1981) 224–26.

visible their emotions, actions, and intents. As the various characters engage and persuade each other, they engage and persuade the audience, as well.

Qallir's choice of techniques is not haphazard. Through the use of a riddle, for example, he effects *anagnorisis*, the experience of sudden realization.²³ In the opening scenario, Jeremiah confronts a woman both beautiful and disfigured, a scene that suggests although it does not demand some form of physical representation. Startled by her appearance, the prophet asks her: "Are you the most demonic of demons, or a human being?" The woman answers his question with a riddle, defining herself as the possession of "three and seventy-one, / twelve, sixty, and one."

It is not clear who speaks the answer:²⁴ does Lady Zion immediately solve her own riddle or does Jeremiah deduce the answer on his own? This ambiguity can only be resolved by the mode of performance. In either case, the exchange creates a kind of intellectual engagement of the listeners right away. Only after the riddle is resolved does the audience know who both of the main characters are.

At the same time, this poem does not appeal exclusively to the intellect. The depiction of Lady Zion as a vulnerable woman, a kind of princess in disguise, full of remorse and longing, has strong emotional appeal, particularly as she seeks Jeremiah's help in securing mercy for herself and her children (i.e., those who listen to the performance) from her divine lover: "Pray . . . / On behalf of the storm-tossed, flogged, and afflicted one; / Someday God will respond . . . / And . . . save my children" (stanza 8).

God's dramatic response—unmarked in the text—shocks listeners with its sense of raw powerlessness but then turns into an impassioned call to action. God, the listeners realize, needs the prophet to act; Jeremiah has turned to God, but God turns to humanity. The poem's emotionality recalls the rhetorical technique of *phantasia* (appeals to the mind's eye), according to the rhetorical treatise of Longinus, and should result in emotional effects or even *ekplexis* (a striking impact upon the

²³ The appeal of riddles was first and most clearly articulated by Aristotle. As Kathy Maxwell summarizes: "The riddle or enigma encourages the same sort of audience participation [as metaphor]. . . . 'Riddles are pleasing for two reasons: they are metaphorical and they cause the audience to learn something' (*Rhet.* 3.11.6). In order to succeed, the speaker's riddle must first 'set up a certain expectation only to defeat it . . . whatever pleasure we take in this depends on our not seeing through the trick at once.' The element of sudden recognition again plays a part in the figure's success." (*Hearing between the Lines: The Audience as Fellow-Worker in Luke-Acts and Its Literary Milieu* [Library of New Testament Studies 425; T&T Clark Library of Biblical Studies; New York: T&T Clark, 2010] 63).

²⁴ "The 'one' was Abraham, / Who was one of the 'three' patriarchs. / The portion of the 'twelve' —these, these are the tribes of Yah. / The 'sixty' were the multitudes (who left Egypt), and the 'seventy-one' the Sanhedrin of Yah" (stanza 4).

audience).²⁵ *Phantasia* thus resembles *enargeia* but has a specifically emotional (and thus persuasive) appeal.²⁶

This poem's vividness recalls that of the Aramaic "I Shall Go Forth Weeping," which similarly constructs a composite of images. Here, the imagery of loss and destruction is more compact, but the descriptive vocabulary is vivid and energetic. The characters roar like lions, weep, growl, shout, and exhort; descriptors include "beaten," "dragged," "storm-tossed, flogged and afflicted." The destruction of Jerusalem is compared to "desert wolves [who] have ravaged the sheep." The primary metaphors are parental rather than regal: Zion is a mother bereft, and God compares himself to a father who has banished his son. This energetic pathos, combined with the rapid dialogue, suggests an energetic staging, rich with gestures and strong body language as a way not only of underscoring but actually embodying the drama of the events narrated and drawing all the listeners, both those imagined within the poem and those actually among the audience, into the scene. Performance not only takes place upon a stage; it creates one. And in the liturgical setting, the listeners are part of the production, much as judge and jury are part of the court and not separate from it.

Where the action in this work takes place almost exclusively through dialogue, the second of Qallir's poems included here is almost entirely narration. This poem is actually the conclusion of a much longer *piyyut*, one of the five magisterial *qerovot* Qallir composed for the fast of Av.²⁷ This poem depicts a climactic end-of-days

²⁵ Longinus, [*Subl.*], 15.2, states: "That *phantasia* means one thing in oratory and another in poetry you will yourself detect, and also that the object of the poetical form of it is to enthrall [έκπληξις], and that of the prose form to present things vividly [ένόργεια], though both indeed aim at the emotional [τὸ ποθητικὸν] and the excited [τὸ συγκεκινημένον]." A few sections later, Longinus continues: "What then is the use of visualization in oratory? It may be said generally to introduce a great deal of excitement and émotion [ένογάνια κοὶ ἐμποθῆ] into one's speeches, but when combined with factual arguments it not only convinces the audience, it positively masters them" (15.9) (trans. W. Hamilton Fyfe; rev. Donald A. Russell; LCL 199:214–15 and 222–23).

²⁶ Webb, "Poetry and Rhetoric," 345. As she writes, "So the judge must be made to feel not just that he is hearing the facts of the case, but that he can actually see the events playing out before his eyes. . . . Both [Quintillian and Longinus] supply a term that was missing from most of the discussions of *ekphrasis* in the *Progymnasmata*: the emotion which accompanies the mental image 'placed before the eyes.' "

²⁷ A *qerovah* (pl. *qerovot*) is a Hebrew poem that embellishes the Amidah, the central prayer of the Jewish liturgy; this poem would have been recited in the course of the statutory prayers on the Ninth of Av. I rely here on the Hebrew edition published by Jefim Schirmann in *The Battle between Behemoth and Leviathan According to an Ancient Hebrew Piyut* (PIASH 4.13; Jerusalem: Israel Academy of Sciences and Humanities, 1970) 327–69. Describing the *piyyut* from which it comes (*Zekhor 'ekhah 'anu sefatenu*; Davidson 108 ם) as a whole, Schirmann writes, "We have here a combination of lyric, epic, dramatic and didactic elements, all of which underscore the vastness of the calamity that befell the nation. . . . There pass in succession before our eyes hundreds of lines of poetry steeped in blood and tears, and only after we have listened for a long time to words of woe and ire does a slight respite come" (330). The English translation provided here is by the present author. A translation of an abridged version of the poem can be found in Carmi, *Penguin Book of Hebrew Verse*, 227–32. On Qallir's *qerovot* for the Ninth of Av, see Goldschmidt, *Order of Laments*, 8.

battle between two mythological figures whose Jewish roots lie in the final chapters of the book of Job: Behemoth (the primordial land animal) versus Leviathan (the primeval sea monster). Ziz (the monstrous bird) makes a cameo appearance and completes the triad of land, sea, and sky.²⁸ At the conclusion of the *piyyut*, God himself joins the fray and directly slaughters both Jobian monsters, serving them as meat and fish courses at the banquet of the righteous.

This *piyyut*, a rich embellishment of traditions shared with other rabbinic sources, stands out as one of the most dramatic narrative compositions in the history of early *piyyutim*. No conventional devices govern its form: it lacks regularized stanzas, refrains, and acrostics, which results in a freeness of form that is typical of its genre (*silluq*). Nor is it an exercise in *ethopoia*: the poet does not immerse himself in the perspective of a particular character but rather describes the combat with great vividness and vigor (*enargeia*). Finally, there is declamation but no dialogue or chorus, pathos but little appeal to the emotions otherwise. Rather, in this poem, Qallir displays the dramatic potential of narrative despite the absence of dialogue.

The most outstanding feature of this *piyyut* is its abundant sensory detail; it practically leaps from the page with its appeals not only to the mind's eye but its nose, ears, skin, and tongue as well.²⁹ In short, it offers a remarkable example of *ekphrasis*, of vividness. When the wounded Behemoth sets paradise aflame, we smell the incense; when he snorts, we feel his breath; when Leviathan breathes, we see the waters steam; and when God serves the banquet, we taste the many flavors of Ziz.

The poet begins drawing his verbal picture by imagining for his listeners the stage upon which the action takes place: the gates of Eden open and the listeners enter along with the righteous. At once, the righteous ones who constitute both the audience in the conceit and the literal audience hear the sound of God pacing in the garden, just as Adam and Eve do in Gen 3:8, only now the movement is a welcoming bustle, not an ominous game of hide-and-seek. The divine ringmaster presents the three creatures (Ziz, Behemoth, and Leviathan) to those assembled and welcomes them to the entertainment. The congregation in effect becomes part of the audience of the mother of all gladiatorial games.

There are no explicit references to gesture in this poem, but it is impossible to read this work without imagining ways the narrator may have physically, through body and voice, called attention to the appearance and behavior of the characters, interpreting through his embodiment the images suggested by the poetic text. Each creature is introduced in a way that is reminiscent of how prize-fighters

²⁸ In addition to the article by Schirrmann, see Fishbane, *Biblical Myth and Rabbinic Mythmaking*, 219–20. Job features only Leviathan and Behemoth; Ziz does not appear there but is found, by the rabbis, in Ps 50:11 (see, for example, *b. B. Bat.* 73b). The inclusion of Ziz here completes the sea-land-air triad of Genesis 1–2.

²⁹ As Fishbane notes, “The whole account is replete with the concrete verisimilitude of mythic discourse. . . . [It has] the quality of ‘real presence’” (*Biblical Myth and Rabbinic Mythmaking*, 219–20).

are introduced: see how strong Behemoth is, how sharp Leviathan's fins, how broad the wings of Ziz! The narrator appeals directly to his listeners: "Notice [*hinneh na*] [Behemoth's] mighty loins!" (line 32). Much of the battle itself is an indistinct, slightly chaotic clash of pronouns—"This one attacks that! The one assaults the other!"—a style of presentation that suggests some nonverbal form of clarification. The narrator's body language may also have helped define the creatures' personalities, so deftly delineated: Behemoth a gentle giant who shelters smaller animals beneath his tail; Leviathan a fierce beast who terrifies, tramples, cooks, and eats the other sea creatures. The vividness and vigor of the imagery demand bodily engagement. The poet, through the performance of the speaker, conveys a sense of these mythic beasts' mass and splendor, their rage and pain, their courage and their death.

Qallir's listeners, like the righteous in the time to come, have front-row seats to precisely the kind of entertainment the pious would have avoided in the present. Through words, postures, gestures, and all the other tools of poetic illusion making, the poet conjures for his listeners a contest far better than any they could have seen in an earthly amphitheater or hippodrome. Through the power of his words, the poet offers his listeners a foretaste of the rewards that await them in the future. The world of late antiquity was a world that loved spectacle. This poem is true to this spirit: it is spectacular.

■ The Greek Poems

These initial four poems, two in Aramaic and two in Hebrew, suggest some of the ways in which Jewish poets from late antiquity shared techniques with ancient orators and actors. Such techniques were hardly limited to Jewish poetry, however; rather, performative theory and rhetorical analysis provide a way of conducting comparative hymnographic work that extends to the Christian tradition. Two *kontakia* (chanted poetic sermons) by Romanos illustrate the potential of this approach, which emphasizes the shared rhetorical culture connecting poetry in three languages and two religious traditions. Romanos, the greatest of the early Byzantine hymnographers, provides a fitting complement to the contemporary Jewish poet Qallir as well as the anonymous Aramaic poets. While Romanos's compositions reflect significantly different content in terms of their themes, motifs, exegetical foci, and liturgical contexts, an appreciation of the techniques for engaging an audience provides a way of creating a conversation across the boundaries that otherwise separate such works from each other. In particular, attentiveness to techniques these works hold in common, such as *ethopoia*, *enargeia*, exhortation, and dialogue, will enable the construction of a framework for articulating how poets of various backgrounds working for diverse settings created works that were engaging and compelling.

The two Romanos hymns, both of which are typical *kontakia* in terms of their form, depict key moments in the story of Jesus's crucifixion: his dialogue with his

mother, Mary, while he is on the cross (an embellishment and conflation of John 19:25 and Luke 23:27–32); and his descent to and triumphant return from hell (an episode detailed in *Acts Pil.*, part 2). As a consequence of their narrative focus on New Testament stories, these poems do not tempt modern readers to engage in the difficult and generally misleading task of deciphering exegetical relationships and directions of transmission between Jewish and Christian sources; instead, the very dissimilarities of the works enable a focus on common techniques of rhetoric, performance, and theatricality.³⁰ A rhetorical focus highlights the larger cultural-aesthetic connections among these genres, bringing to the fore similarities common to these otherwise quite different works composed for distinctive audiences.

From a functional standpoint, the Greek *kontakia* and Jewish poems share essential objectives or practical consequences in common, which help to determine the rhetorical techniques employed. As Derek Krueger writes, with regard to Christian liturgy in antiquity:

For the vast majority of Christians in late antiquity, the past they absorbed was the past they heard . . . this ‘unclassical past’ was primarily biblical. . . . Through ritual narration, the Christian community becomes the subject of the biblical narrative, those upon whom God has acted.³¹

In a similar vein, Georgia Frank notes:

Romanos opened the margins of time, filling pregnant silences with intense interior speech. . . . He also pushed back the margins of space by inserting celestial and subterranean vistas into earthly events. . . . [Worshippers] were instructed when to look up, look down, look away, stand up, or hold silence. . . . Romanos helped worshippers find the layered meanings in sensory memories. His *kontakia* remind us that any synthesis of historical and allegorical would begin with the body—the sensory body of the biblical figures and its imitation in the worshipper’s perceptions.³²

Both Jewish and Christian poets were attempting similar feats: to make real, in a physical and not simply intellectual way, the experience of sacred history. In order to do so, these poets employed similar techniques, chosen for their appeal and their effectiveness.

The first poem to examine in this context is the *kontakion* “Mary at the Cross,” which recreates Mary’s conversation with Jesus as he processes through Jerusalem bearing the cross upon which he will be crucified.³³ In her discussion of this poem,

³⁰ For an example of comparative work done well, see Ophir Münz-Manor, “Liturgical Poetry in the Late Antique Near East: A Comparative Approach,” *Journal of Ancient Judaism* 1 (2010) 336–61.

³¹ Krueger, “Liturgical Creation,” 58, 60.

³² Frank, “Romanos and the Night Vigil,” 76–78.

³³ As Margaret Alexiou notes, “In [this] single *kontakion*, Romanos has exploited all available forms: strophe-refrain, dialogue, and three-part form. Nor is his artistry ever static, developed for the sake of form alone. At every stage it reinforces the depth of insight with which Mary’s gradual and painful realization that her son must be crucified is described. . . . This close integration of form

Margaret Alexiou notes what is a larger point in the present essay: the idea that poets were not isolated from the literary conventions of their day but rather fully aware of and able to make use of the techniques from the culture in which they lived. A vivid poem, an engaging poem “works” regardless of confession. “Mary at the Cross” is one of Romanos’s finest hymns, and it offers an excellent example of how the techniques discussed above in the Jewish context appear, as well, in Christian Byzantine hymnography.³⁴

The poet begins his work, not atypically, with a summons to all who are present to join Mary in praising Jesus and concludes with communal praise of Jesus’s sacrifice. The mother lamenting her Son’s suffering recalls the mournful speaker of the Aramaic poem “I Shall Go Forth Weeping” and the figure of Lady Zion in the first Qallir work, as well as the role of women as mourners more generally, but of course the details of this scene are specific to the Christian context. The rest of the work consists of a dialogue between mother and Son.

The rhetorical feature most evident in this poem is the *ethopoia*, the drawing of Mary and Jesus as characters and the poet’s ability to present the same scenario from the perspective of each. Romanos thus crafts for his listeners the pathos of Mary’s position not in abstraction but through dramatic and emotional confrontation with her suffering Son. Throughout the work, she calls Jesus “my Son,” underscoring her personal claim on the universal Savior; Jesus reciprocates, calling Mary “my mother” even as he responds to her emotional arguments in lofty philosophical tones. This dialogue, which is fascinating in its own right for the insight it offers into theology and gender construction, among other elements, is not static but dynamic. The speakers engage with each other, respond to each other, make claims on each other, and move each other. Mary questions, interrogates, and protests, asserting “I will say what I feel! . . . I am afraid and, anxious to see you, I weep and cry out” (strophe 11).³⁵ Jesus responds to her and reasons with her; he attempts to transform her distress into hope, her sobs into shouts of joy, to reorient her from the present to the future, from the apparent to the real. And yet, as the poem concludes, Mary

and content, typical of the best of Romanos, is not an abstract convention, but a poetic response to the diversity of forms actually current in Greek liturgical singing of the time” (*The Ritual Lament in Greek Tradition* [2nd ed. rev. Dimitrios Yatromanolakis and Panagiotis Roilos; Oxford: Rowman & Littlefield, 2002] 143–44).

³⁴ An approach to ancient hymnography through the lens of performance could easily widen to include Syriac poetry, as well. The present discussion is limited to Jewish Palestinian Aramaic, Hebrew, and Greek for reasons of space, but it is the present author’s hope that this paper serves as an introduction to more comparative studies.

³⁵ The Greek consulted here is the standard critical edition, *Sancti Romani Melodi cantica. Cantica genuina* (ed. Paul Maas and C. A. Trypanis; Oxford: Clarendon, 1963): #19, 142–49 (“Mary at the Cross”) and #22, 164–71 (“The Victory of the Cross”). English translations of these works are readily available; the best is Ephrem Lash, *On the Life of Christ: Kontakia* (San Francisco: HarperCollins, 1995) 141–52 (“Mary at the Cross”) and 153–64 (“Victory of the Cross”); see, too, R. J. Schork, *Sacred Song from the Byzantine Pulpit: Romanos the Melodist* (Gainesville: University of Florida Press, 1995) 106–14 (“Mary at the Cross”) and 125–34 (“The Victory of the Cross”).

still struggles against her emotions—"I am overcome, oh my Son, I am overcome by love"³⁶—while Jesus tells her, "Mother, do not weep / be not disturbed" (strophe 16). Mary's anguished cry, "*My Son and my God*"—the refrain that concludes every strophe—is never wholly softened by Jesus's coolly logical rhetoric.³⁷

The dialogue out of which this poem is constructed contains hints of the gestures and appeals to the senses that may have enriched the performance. Exhortation (a register of speech for which a library of gestures is known) often combines with imagistic, visual details in this work, as in strophe 7, where Mary says, "My Son, see how I wipe tears from my eyes!" In general, Romanos here emphasizes the aural: Jesus counters his mother's assertions that she will "cry out" and give voice to her grief with instructions to use her voice positively: to "proclaim" (strophe 4), to "shout out in joy" (strophe 6), to "cry out" (strophe 9), and to "shout out once more" (strophe 10). It is as if Mary is following the script of the mourning mother (the script in evidence in the Aramaic lament "I Shall Go Forth Weeping"), while Jesus tries to write for her a new script: her performance is of the old way, his of the new.

Where "Mary at the Cross" represents a struggle to reframe tragedy as triumph, the hymn "The Victory of the Cross" depicts triumph with deft touches of tragicomic humor. Formally, both of these are "conventional" *kontakia*; they share the same basic formal features and structures. Part of what makes Romanos such a remarkable poet is the room he finds within convention for inventiveness and creativity. Stable form need not mean static content.

The plot of "The Victory of the Cross" is straightforward, and the subject of this poem subtly complements that of Qallir's poem on Behemoth and Leviathan: where Qallir takes his listeners to heaven, so to speak, Romanos takes them to hell. In the first prologue, the poet sets the scene, leading his audience to visualize a stage built in the imagination: the flaming sword that blocked entry to Eden has been replaced by a cross adorned with "Death's sting" and "Hades's victory"; Jesus, directly addressed by the narrator as "you . . . my Savior," beckons all to enter.³⁸ As the narrator and Jesus move aside to permit the story to unfold, they join the congregation in watching the "show." In the body of the poem, the first nine strophes recount the dialogue between scornful Belial (Satan, Sin) and gluttonous Hades

Marjorie Carpenter, however, is the only scholar to have translated all of Romanos's "authentic" *kontakia*; for her editions of these poems, see her work *On the Person of Christ* (vol. 1 of *Kontakia of Romanos: Byzantine Melodist*; 2 vols.; Columbia, Mo.: University of Missouri Press, 1970–1972) 196–203 ("Mary at the Cross") and 230–38 ("Victory of the Cross").

³⁶ Νικῶμαι, ὁ τέκνον, νικῶμαι τῷ πόθῳ.

³⁷ The juxtaposition of Mary's articulate anguish with Jesus's philosophical detachment creates a particularly poignant contrast if we imagine the physical staging of the encounter, with Jesus bearing the physical burden of the cross and Mary, burdened by emotions, at his side.

³⁸ Two shorter *prooimia* are also included: the second addresses Jesus as the one who defeated Death, while the third—only two lines long—calls on Adam to rejoice over the restoration of immortality. *Prooimia* were often added to preexisting works, so these three passages may or may not be original to Romanos.

(Death): Hades frets uneasily while Belial tries to cheer him up; indeed, Belial takes credit for the crucifixion. In the ninth strophe, Hades relays some bad news to Belial: the Good Thief has recognized the sovereignty of Christ; this precipitates a crisis for Belial in strophe 10, and he seeks refuge with Hades in strophe 11.³⁹ The two malignant, despondent figures sing a duet in strophes 12 and 13, lamenting their loss of control over the realm of the dead, and the poem concludes with the two figures consoling each other in their defeat. In the final strophe the narrator resumes narration; he turns to Jesus in direct addresses, thanking him for restoring to humanity the possibility of paradise.

The characters of Belial and Hades are vividly drawn, outstanding examples of *ethopoia* as conveyed by *enargeia*. As soon as he enters the scene, in strophe 1, Hades describes his physical discomfort in graphic terms: someone has driven a spike into his heart, pierced him with a lance, rent him in two. His innards burn and churn. In a particularly vivid and, literally, visceral image, Adam rises in his throat like bile. Belial, for his part, is portrayed in the second strophe with equally vivid descriptors: he slithers and hisses, and he rebukes Hades for all of his—both physical and verbal—bellyaching.⁴⁰

As the dialogue continues, it becomes increasingly easy to imagine a lively physical staging of the work. In the third strophe, Hades urges Belial: “Stop! Open your eyes! Look! / The root of the tree [the cross] has pierced my soul / it has gone deep into my gut.” The appeal to Belial to “look” functions as an appeal to the listeners as well, and the dramatic image of a cruciform stake in Hades’s belly suggests the use of a simple but effective prop or gesticulation. Several strophes later, Hades graphically narrates the drama unfolding up above in the human realm: “The earth is quaking, the sky is black / rocks are splitting, the temple veil is in shreds / those in the tombs are rising up and corpses shout” (strophe 7). In strophe 11, Belial “screams” and begs Hades to save him; in strophe 16 he says, “Wail! I shall echo your groans / let us weep as we behold the tree we planted.” The language of the poem itself is so rich with implied gestures and such over-the-top emotion that even on the page we can almost hear and see it.

In terms of staging, a number of the strophes contain unmarked changes of speaker, a feature that, as in the Aramaic lament “Sing for Us” and Qallir’s *piyyut* “When Her Quota is Filled,” suggests that the performer, if the piece was performed by a single individual, indicated and developed character by some physical, embodied means. The dualistic qualities of this final portion of the *kontakion* challenge our ability to envision its performance by a soloist. The final stanza in

³⁹ We can imagine Hades conveying that he is receiving news from the upper world, perhaps standing, hand to ear, pantomiming the revelation.

⁴⁰ For a rich and multifaceted treatment of the death of (personified) Death in this *kontakion* and beyond, see Georgia Frank, “Death in the Flesh: Picturing Death’s Body and Abode in Late Antiquity,” in *Looking Beyond: Visions, Dreams and Insights in Medieval Art and History* (ed. Colum Hourihane; Occasional Papers from the Index of Christian Art 11; University Park, Penn.: Pennsylvania State University Press, 2010) 58–74.

which Hades and Belial speak (strophe 17) contains intricate dialogue, with each character apparently speaking to the other in alternation and then uttering their final lines in unison:

O Tyrant [Belial]! Swear that this is your final crucifixion!
 And you, O Tartarus [Hades], never plot to slay another man!
We both have learned our lesson. . . .
 Let what has happened to *us* now make *us* aware. . . . [italics added]

Certainly it is possible to read this all in a single voice, but the plural pronouns raise the possibility of performing the text as a duet, an aesthetically pleasing option if not a requirement.⁴¹ Through the use of such performative techniques, the poet not only lets his listeners “eavesdrop” on the experience of two villains as their triumph turns to defeat; by doing so, he creates for his listeners the opposite of his characters’ experience: the characters celebrate a victory, the crucifixion, which is transformed into a defeat, while the congregation experiences a defeat, the crucifixion, which becomes a victory. Those who were powerful are brought low, and those who were at their mercy are exalted. The liturgical experience reinforces the theological truth.

■ Conclusions

This study offers a preliminary exploration of an approach to *piyyutim* and to comparative hymnography that is grounded not in a study of motifs so much as a shared rhetorical culture. This way of approaching liturgical poems—as fully embedded in late ancient literary and rhetorical culture—opens up a new agenda for sophisticated comparative study. For example, the role of the self-conscious prologue/narrator, a technique employed with great skillfulness by the Roman playwright Plautus, would benefit from comprehensive examination, as would a systematic articulation of late ancient performative rhetoric in practice, focusing on features such as *enargeia*, *ethopoia*, and *ekphrasis*. These poetic features are significant, if difficult-to-recover, means by which the poets engaged their listeners and heightened their experience of the works both as theater and liturgy. Timothy Moore, writing of Plautine theater, notes:

Texts can nevertheless reveal a good deal about the relationship between actors and audience. . . . The text is particularly useful in helping us determine how playwright and actors encourage their audience to respond to the psychic paradox involved in watching a play. As any playgoer is aware, spectators at a play simultaneously forget and remember that they are in a theater. They believe, on one level, that the action occurring onstage is ‘real’; yet at the same time they are aware that what they see is a performance.⁴²

⁴¹ Carpenter does, in fact, translate these lines as if they are only in the voice of Belial. See Carpenter, *On the Person of Christ*, 237.

⁴² Timothy J. Moore, *The Theater of Plautus: Playing to the Audience* (Austin: University of Texas Press, 1998) 1.

None of this is meant to suggest that liturgical poems were indistinguishable from theater, or that the liturgical performance took place upon a stage, although the boundaries can be blurry in some, perhaps many, cases. But the readings presented here do suggest that modern readers must maintain an awareness of the fact that these poems, like the surviving manuscripts of Greco-Roman comedy and drama, also had a life “beyond the page,” and what has survived and is tangible is only a fragment of a dynamic among author, performer, and audience. These poems are rich with clues that can inform us of their performed reality: unmarked transitions, evocations of gestures and postures, elements that suggest conscious pacing and staging, strikingly vivid characters, and dynamic imagery. Looking to the world of theater and the related world of oratory makes eminent sense; it helps modern readers recover an appreciation of the ways words, not only written but spoken, can enchant. If anything, the stakes in a liturgical performance were higher and more substantial than “mere” entertainment or diversion. In these works a concrete and consequential worldview was being given form. This tremendous potential could only be achieved when these texts had life breathed into them.

■ Appendix: Translations of Aramaic and Hebrew Texts

Aramaic Text #1: “I Shall Go Forth Weeping” ('Ana 'azel ve'evkeh)⁴³

I shall go forth weeping . . .

*Over a nation beloved,
Chosen over all others,*

“My eye, my eye flows with tears.” (Lam 3:48)

Over infants strangled

As they first came forth,

“My eye, my eye flows with tears.” (Lam 3:48)

Over my sanctuary laid waste

And my priests slain by the sword,

“My eye, my eye flows with tears.” (Lam 3:48)

Over the chosen place,⁴⁴

Now a ruin, a waste,

“My eye, my eye flows with tears.” (Lam 3:48)

⁴³ Translation based on the critical edition of the Aramaic by Sokoloff and Yahalom, *Jewish Palestinian Aramaic Poetry*, 158–60. The incipit appears in the ms.

⁴⁴ The temple, or Jerusalem more generally.

Over those bound like sheep to be slaughtered,
Giving their last breath, expiring,
“*My eye, my eye flows with tears.*” (*Lam 3:48*)

Over the prisoners in chains,
Who find no respite,⁴⁵
“*My eye, my eye flows with tears.*” (*Lam 3:48*)

Over children at their books
As fire burned them,
“*My eye, my eye flows with tears.*” (*Lam 3:48*)

Over elders driven forth,
Oh, my eye weeps over them,
“*My eye, my eye flows with tears.*” (*Lam 3:48*)

Over the fruit of the golden bough,
My suffering over them is tremendous,
“*My eye, my eye flows with tears.*” (*Lam 3:48*)

Over my community, now exiled,
Driven forth and far away,
“*My eye, my eye flows with tears.*” (*Lam 3:48*)

Over My tranquil place, now fallen,
From where the innocent were exiled,
“*My eye, my eye flows with tears.*” (*Lam 3:48*)

Aramaic Text #2: “Sing for Us” (*Shiru lanu*)⁴⁶

Oh how those who bow down to Bel
By the rivers of Babylon (said):
“*Sing for us [one of the songs of Zion]!*” (*Ps 137:3*)

Exiles and refugees, we sit,
For our Lord is angry with us:
“*How shall we sing the Lord’s song?*” (*Ps 137:4*)

⁴⁵ Lit., “resurrection, renewal of life.”

⁴⁶ Translation based on the critical edition of the Aramaic by Sokoloff and Yahalom, *Jewish Palestinian Aramaic Poetry*, 160–63.

Why so sad?

Why sitting in darkness?

“Sing for us [one of the songs of Zion]!” (Ps 137:3)

Songs of joy are turned to lamentation;

The Living One has made us dwell in the dark.

“How shall we sing the Lord’s song?” (Ps 137:4)

The sweet fruit that once you ate,⁴⁷

Which you enjoyed, which gave you pleasure.

“Sing for us [one of the songs of Zion]!” (Ps 137:3)

Already our happiness grows dim;

We are no longer in our ancestral land.

“How shall we sing the Lord’s song?” (Ps 137:4)

Why do you weep?

Why are you sighing and sobbing?

“Sing for us [one of the songs of Zion]!” (Ps 137:3)

We mourn (our) ruination,

(Weep) over the memory of Zion.

“How shall we sing the Lord’s song?” (Ps 137:4)

Begin the lamenting, all of you;

Raise your voices and make yourselves heard.

“Sing for us [one of the songs of Zion]!” (Ps 137:3)

Our voice is muted by distress;

The Exalted One sent us to dwell in shame.

“How shall we sing the Lord’s song?” (Ps 137:4)

Put yourselves at ease—how can you be suffering?

Oh, you are so morose!

“Sing for us [one of the songs of Zion]!” (Ps 137:3)

Our distress is overwhelming.

How terribly we sinned against the One and Only!

“How shall we sing the Lord’s song?” (Ps 137:4)

⁴⁷ Following the emendation suggested by Yahalom and Sokoloff, *Jewish Palestinian Aramaic Poetry*, 168 (note to line 14). “Fruit” here refers to the boundary of the land of Israel (and, by extension, the now-lost pleasure of bringing firstfruits and agricultural tithes to the temple).

Hebrew Text #1: Qallirian lament, “When Her Quota (of Grief) is Filled” (’Az bimel’ot sefeq)⁴⁸

When her quota⁴⁹ is filled, she who is as lovely as Tirzah,
 Then the valiant ones will cry aloud:
 The son of Hilkiah, as he went forth from Armon,
 A woman, lovely to see, in filthy rags, he found:

“I charge you, in the name of God and man,
 “Are you the most demonic of demons,⁵⁰ or a human being?
 “Your beauty is that of flesh and blood,
 “But your terrible fearsomeness is like that of the angels alone!”

“In truth, neither a demon am I, nor a thing of base clay.
 “Once I was known for my ease and tranquility,
 “And, indeed, I belong to three, and to seventy-one,
 “To twelve, and to sixty, and to one.”

“The ‘one’ was Abraham,
 “Who was one of the ‘three’ patriarchs.
 “The portion of the ‘twelve’—these, these are the tribes of Yah.
 “The ‘sixty’ were the multitudes (who left Egypt), and the ‘seventy-one’ the Sanhedrin of Yah.”

“Heed my advice, and make repentance!
 “Given how important you once were,
 “It is fitting for you to rejoice in delight and goodness,
 “And no longer shall you be called ‘faithless daughter.’”

“How can I rejoice, and my voice—how shall I lift it?
 “Indeed, my babes have been handed over to the enemies.
 “My prophets are beaten and dragged off;
 “My kings exiled, and my princes and priests in chains.”

“Because of my sins, my holy dwelling is desolate.
 “My Beloved from of old has fled, been driven off.
 “My peaceful tent, against my will, has been devastated.
 “She who was great with people—how lonely she dwells!”

⁴⁸ Translation based on the critical edition of the Hebrew by Goldschmidt, *Order of Laments*, 101–2 (Davidson 2108 n).

⁴⁹ Of grief; that is, when Zion has paid her debt in full.

⁵⁰ שׁדָּים (lit. “demon of demons”), perhaps an echo of שׁיר השִׁירִים (the Song of Songs).

“Pray to your God, O prophet Jeremiah,
 “On behalf of the storm-tossed, flogged, and afflicted one;
 “Someday God will respond and say, ‘She has suffered enough!’
 “And then he will save my children from the sword and captivity.”

He prayed his entreaty before his Creator:
 “You who are full of mercy, have mercy like a father upon his son!”
 He (God) cried out, “Woe to the father who exiles his children!
 “And woe, as well, to the son no longer at his father’s table!”

“Rouse yourself, Jeremiah! Why are you still here?⁵¹
 “Go, call to the patriarchs, and Aaron and Moses,
 “Let the shepherds (of the people) come and raise a dirge,
 “For the desert wolves have ravaged the sheep.”

Jeremiah the prophet was roaring;
 At Machpelah he growled like a lion:
 “Raise your voices in lamentations, O fathers of the splendid one.⁵²
 “Your children have strayed and lo, they are now captives!”

Hebrew Text #2: Qallirian silluq, “Behemoth and Leviathan”⁵³

Then the gates of the Edenic garden shall open
 And seven companies (of righteous) shall be mustered in the garden.
 And the tree of life is still within the garden,
 And beneath it sit the sixty and eighty,⁵⁴ round and full,⁵⁵
 And thirty-six ascend within its bounds
 During a journey of five hundred years kept safe.
 Then they will hear the voice of their Rock⁵⁶ in the garden,
 And just as in the past he paced within the garden,
 So, too, he will pace in their midst within the garden.

⁵¹ Lit., “Get yourself up, Jeremiah! Why are you silent/inactive?”

⁵² צב, translated as “splendid one,” could also be “gazelle.”

⁵³ Translation based on the critical edition of the Hebrew by Schirmann in *Behemoth and Leviathan*, 350–53. This poem is the final unit of a lengthy *qerovah*, “Zekhor ’ekhah ’anu sefatenu” (Davidson 108 ב).

⁵⁴ Song 6:8, “sixty queens and eighty concubines,” apparently here a reference to the sages or the righteous.

⁵⁵ Song 7:3; in b. *Sotah* 45a this verse is understood as describing the Sanhedrin, but here it describes the righteous.

⁵⁶ “Rock” (רוֹק) may here pun on “Creator, Fashioner” (from the root *y-ts-r*).

Then they shall see, and show with a finger, his likeness,
 And they shall say, "This is God, our God, and we shall not die!"
 He shall lead us beyond death ['al mavet].
 He shall lead us even after our youth ['alemut] is past.
 He shall lead us in both worlds ['olamot]!"
 Then he will show them three consolations:
 Ziz and Leviathan and Behemoth.
 Ziz, who tastes of every kind of flavor,
 Shall spread his wings in strength⁵⁷
 And blot out the (heavenly) lights all the way to the deeps.⁵⁸
 And then he will bring forth for their sake, by his might, Behemoth,
 Whose lair is a thousand mountains
 And whose trough is more than a thousand mountains;
 Whose drink is the abundance of the river,
 The Yuval which flows forth from Eden and becomes the four rivers.
 He sends forth his roots, his drinking is by the mountains,⁵⁹
 And all the beasts of the forest rush to him
 To drink quickly from his waters.
 And there are engraved upon him the three signs of purity⁶⁰
 Signifying his purity for the chosen righteous;
 His roar rends mountains.

Notice his mighty loins!
 His deeds testify to his power
 And the strength of his torso⁶¹ proves it;
 Who could stand up to him?
 If he desires, he raises his tail, massive as a cedar,
 And all the beasts of the field dwell beneath it, nesting,
 And later, he gently lowers his tail
 And lets birds take shelter beneath its tip,
 Lest any harm come to the animals that dwell in his midst.
 For he is compassionate beyond any measure,
 And he reclines like a king upon his throne,
 Until comes the appointed day when he (God) will sport with him,
 And reveal him (Leviathan) to the people who are near to him (God).

⁵⁷ Reading בחתומו (the variant favored by Schirmann), rather than בחתולמו (in secret), although the latter preserves the wordplay on the root '-l-m.'

⁵⁸ The poet plays here on the creation imagery of Genesis 1.

⁵⁹ Jer 17:8.

⁶⁰ Lev 11:3.

⁶¹ Lit., "the muscles of his belly."

Then against him shall Leviathan stand
 And the havoc of Behemoth shall terrify.⁶²
 For yet the one was assigned to sport with the other
 In the future, by him who will arouse Leviathan,
 To be appointed for them (the righteous) as a reward.

From below, big fish dance for him,
 While up above, angels sing for him,
 Chanting his glory and his praise.⁶³

His undersides are jagged shards;
 With his fins, he blots out the disk of the sun.
 He sprawls like a threshing sledge in the sludge;⁶⁴
 He boils the waters of the deeps like a pot.
 The deeps are closed tightly, sealed shut;
 With his scales, he subdues all the waters of the deep.
 The waters of the deep slake his thirst,
 To find relief and deliverance.

Smoke wafts forth from his nostrils,
 Boiling the waters of Bashan.
 With his tail, he whips and alarms the creatures and creeping things,
 And some of them sate him and make him fat.
 He froths the deep with it as he crushes them.

With the eyelids of dawn are his eyes compared,
 His three hundred and sixty-five eyes.
 A ring of terror are his teeth.
 Most praiseworthy of his sixty-two kind (is he),
 The fleeing serpent, the coiled serpent, and two dragons,
 But he rules them like a king over his two camps,
 The white of teeth⁶⁵ are ready for their victory banquet.

And he is the weightiest and greatest of them;
 His tail is gripped with great might in his mouth;⁶⁶
 He surrounds the great sea like a ring.

⁶² A rereading of Hab 2:17.

⁶³ This seems to describe God, but the following lines suggest it describes Leviathan instead.

⁶⁴ Job 41:22.

⁶⁵ “The white of teeth” comes from Gen 49:12. This describes the righteous who wait to feast on Leviathan. Their teeth, having never tasted impure food, are described as “white.”

⁶⁶ The image is of the *ouroborus*, the serpent swallowing its tail.

And when the great day comes,
 Then the great King will say
 That he should be served (as) a meal to the great nation.
 And he will send against him the great prince,⁶⁷
 And with him, a great multitude of hosts,
 To toss over him a great net,
 To draw him out with a hook, with great force.

And they will spear him with spears,
 But to him bronze shafts are no more than straw.
 And they will thrash him with threshers,⁶⁸
 But to him their maces are no more than stubble.

They shoot arrows from their bows,
 But nothing shot from a bow can put him to flight;
 Brass is no more than rotten wood to him.

They sling rocks at him, a veritable avalanche,
 But to him such rocks are merely pebbles;
 They make him irate, so he sets out to destroy them.

When this becomes known to God, the Fortress,
 Then he gives his voice, his mighty voice,
 To send against him the strength only he can give
 So that he may be caught, lacking any refuge,
 He in whose neck dwells strength.⁶⁹

And then he shall be drawn into the fountain garden,
 And those who dwell in the garden shall feast on him,
 Divvying him up among the merchants;
 And he will remain there for an appointed time.

These two fattened (beasts) glare across (the field),
 And these appointed ones come to a halt in Eden.
 One against the other, the two of them draw near;
 Not even a breeze can pass between them.
 And the holy ones see them with their eyes;
 How they struggle before them!
 And the Rock sports with them in their presence.

⁶⁷ Michael.

⁶⁸ The Hebrew says, literally, "they cause his boilings to boil" (Ezek 24:5); the image is of violent motion, like boiling water, as well as the heat of battle.

⁶⁹ That is, Leviathan (Job 41:14).

The horned one begins by goring him with his horns,
 And this one, with his proud scales (responds),
 And his smoldering fire burns,
 And it catches the fleece of his (Behemoth's) loins,
 And he tries to escape from his pain among the trees of paradise,
 And he runs and flees from before him (Leviathan).
 And with his fragrant smoke, he kindles
 The trees of balsam and (Eden's) lilies;
 And the scent of incense rises up to the heavenly abode,
 And the whole garden fills with smoke on his account.

Then a divine voice cries out from above:
 "Blow upon my garden, let its spices flow"⁷⁰
 By this, wafting forth the scent of its perfumes.
 And then the north and south wind awaken
 And blow about as a sign and signal,
 And then he (Behemoth) girds himself with courageous might and regains his strength,
 And he returns to the fleeing one (Leviathan),⁷¹ who awaits him,
 And he charges at him, readied,
 And they grapple with each other a second time,
 And the hidden one (Behemoth) rages against him.

And he encircles him with his horns, an expert fighter,
 And the fish, facing him, is ready,⁷²
 And he sharpens his fins again and again,
 And he goes straight for the kill against him.
 The one curves his horns towards the other;
 The other lifts his fins in response.
 And into their midst, he makes peace between them,
 So that he may slaughter, prepare, and consecrate them,
 And serve them as a meal to the faithful nation,
 And they will understand that they are not bereft,
 And they shall say, "Blessed is the Faithful One,
 For everything that he planned from of old,
 He has fulfilled it, at the end of time!"

⁷⁰ Song 4:6.

⁷¹ See Isa 27:1.

⁷² Or: "wheels to the right."

Why did Jerome Translate Tobit and Judith?*

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Jerome translated the Hebrew Bible into Latin over a decade and a half beginning in about 390 C.E. With each translation he included a preface dedicating (in most cases) the translation to a friend or patron and defending his reliance on what he called the *hebraica veritas* (*Hebrew truth*) against his many detractors. This last feature of the prefaces proved necessary because by choosing the Hebrew text of the Old Testament as his base text, Jerome directly challenged the traditional position of the Septuagint within the church. The unpopularity of this move in some circles compelled Jerome repeatedly to justify his adherence to the Hebrew text.¹ Similarly, in his *Preface to Samuel and Kings* (the “Helmeted Preface” or *Prologus galeatus*) he famously advocated the Hebrew canon as the Christian Old Testament and relegated all other books to the apocrypha.² As part of this latter category, Jerome named six books outside the Jewish canon that were finding acceptance as fully canonical in some quarters and would much later receive the label “deuterocanonical,” these books being Tobit, Judith, Wisdom of Solomon,

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¹ A fundamental study is Adam Kamesar, *Jerome, Greek Scholarship, and the Hebrew Bible: A Study of the “Quaestiones Hebraicae in Genesim”* (Oxford Classical Monographs; Oxford: Clarendon, 1993).

² *Prol. gal.* 52–57. The line numbers of Jerome’s Vulgate prefaces are cited according to *Biblia Sacra iuxta vulgatam versionem* (ed. Robert Weber and Roger Gryson; 5th ed.; Stuttgart: Deutsche Bibelgesellschaft, 2007). On this passage in the *Prol. gal.*, see Edmon L. Gallagher, “The Old Testament ‘Apocrypha’ in Jerome’s Canonical Theory,” *JECS* 20 (2012) 213–33.

Sirach, and 1 and 2 Maccabees.³ In multiple ways Jerome sought to restore the Christian Old Testament to what he considered the original Hebrew text and canon.

Thus, it may cause some surprise to find among Jerome's translations one for Tobit and one for Judith. It is interesting both that he translated these two books despite his calling them at one time "apocryphal" and that he chose only these two deuterocanonical books as objects of translation. Jerome did actually translate other portions of the deuterocanon; he included the additions to Esther and Daniel in his translations of those books. However, in both of these instances, he explains that these additions do not share the value of the protocanonical portions of these books, and so he prefixed them with their "death-warrant," the obelus. Also, in reference to Daniel's additions, he claims that he feared that had he omitted these passages his detractors would accuse him of ignorance.⁴ Such an explanation will hardly work for his translations of Tobit and Judith, and Jerome does not offer it. But his prefaces to these books do give an ambiguous representation of what Jerome was trying to accomplish with his translations. This paper will explore Jerome's attitude toward the books of Tobit and Judith and attempt to unravel how he characterizes the translations in his prefaces. An appendix includes a translation of both prefaces.

■ Introduction to Jerome's Translation of Tobit and Judith

Jerome cultivated a rather complex relationship toward the deuterocanonical books. On the one hand, as we have seen, he regarded the six Old Testament books listed in *Prologus galeatus* 52–57 as outside the biblical canon, and he apparently felt that he had to stress this on certain occasions, to the point of denigrating these works, such as calling them "apocryphal." On the other hand, he felt free on other occasions to offer a more positive assessment of their value. Throughout his career, Jerome cites from all of these books.⁵ In his *Preface to the Books of Solomon*, he again lists the same six Old Testament books he earlier declared outside the canon

³ On the collection of these six books, see Edmon L. Gallagher, "Jerome's *Prologus Galeatus* and the OT Canon of North Africa," in *Papers Presented at the Sixteenth International Conference on Patristic Studies Held in Oxford 2011* (ed. Markus Vinzent; StPatr 69; Louvain: Peeters, 2013) 99–106.

⁴ *Praef. Dan.* 20–43; see also Jerome's colophon to the protocanonical portion of Esther, where he says that he has not found the additions in Hebrew, so he will provide them each with a prefixed obelus (*Biblia Sacra* [ed. Weber and Gryson], 724). And see Michael Graves, *Jerome's Hebrew Philology: A Study Based on his "Commentary on Jeremiah"* (VCSup 90; Leiden: Brill, 2007) 69–70; Edmon L. Gallagher, *Hebrew Scripture in Patristic Biblical Theory: Canon, Language, Text* (VCSup 114; Leiden: Brill, 2012) 98–101. For the term "death-warrant" in relation to the obelus, see Patrick W. Skehan, "St. Jerome and the Canon of the Holy Scriptures," in *A Monument to St. Jerome: Essays on Some Aspects of His Life, Works, and Influence* (ed. Francis X. Murphy; New York: Sheed & Ward, 1952) 257–87, at 281.

⁵ See the collection of citations in Ludwig Schade, *Die Inspirationslehre des heiligen Hieronymus. Eine biblisch-geschichtliche Studie* (Biblische Studien 15.4–5; Freiburg: Herder, 1910) 182–205. He lists, if I have counted correctly, eighty-four citations of Wisdom of Solomon, seventy of Sirach, four of Tobit (one is dubious: Tob 4:16 in *Comm. Matt.* 21:28–32), eight of Judith, sixteen of 1 Maccabees, three of 2 Maccabees, and an additional three of the Maccabean books in general.

(*Prol. gal.* 52–57), but here he advises his readers that these books are read in the church for the edification of the people, even though they cannot establish dogma (*Praef. libr. Sal.* 19–21). This way of putting the matter sounds very much like the discourse of Rufinus, for whom the same six Old Testament books feature in a special collection of noncanonical literature useful to the church and used in the liturgy. Rufinus calls these books “ecclesiastical” and says that they are appointed for reading in churches but not for confirming articles of faith (*Symb.* 36). Jerome does not have a particular name for the category containing these books, but he clearly regards them as edifying religious literature despite their noncanonicity. And so, Jerome can speak both positively and negatively about these books, depending on the occasion. We will see both attitudes in the prefaces to Tobit and Judith.

Jerome dedicated the translations of Tobit and Judith to Chromatius and Heliodorus, bishops of Aquileia and Altinum, respectively. Or, at least, he dedicated the Tobit translation to these men. The Judith preface contains no dedication and no explicit note that it is to be linked to the Tobit translation. One might conceive that they were translated at different times for different people.⁶ However, it is almost universally assumed that Jerome did work on Tobit and Judith at the same time, as companion translations for Chromatius and Heliodorus.⁷ The prefaces especially give this impression. In both prefaces, Jerome describes the respective books as written in the Chaldean language (i.e., Aramaic), he says that the Jews classify them as *agiografa* (*Praef. Tob.* 5; *Praef. Jdt.* 1), he complains about the “demand” (*exactio*; *Praef. Tob.* 2; *Praef. Jdt.* 5) to translate the books, and he claims to have devoted exceedingly little time to the work (*Praef. Tob.* 10; *Praef. Jdt.* 6). There are some differences: the lack of a dedication in the Judith preface, and a description of the translation procedure in the Tobit preface (see below), also absent from the Judith preface. But several features of the Judith preface indicate that it probably accompanied Tobit. The lack of a dedication, while not unique, is peculiar and would make better sense if Tobit and Judith traveled together.⁸ Moreover, Jerome’s reference to “your (pl.) petition” (*postulationi vestrae*; *Praef. Jdt.* 5) has no antecedent in the Judith preface itself and so it seems to look back to the dedicatees of the Tobit preface.⁹ Finally, Jean-Marie Auwers has recently suggested that the “men” whom Jerome imagines learning from Judith’s example

⁶ Migne (PL 29:40 note g) mentions some authors who thought that Judith was translated for Paula and Eustochium and thus did not accompany the translation of Tobit.

⁷ See Carey A. Moore, *Tobit: A New Translation with Introduction and Commentary* (AB 40A; New York: Doubleday, 1996) 53; and Pierre-Maurice Bogaert, *Judith* (VL 7.2; Freiburg: Herder, 2001) 30, 32, who believes the one was translated immediately after the other. Görge K. Hasselhoff places the Judith translation some years after the Tobit translation but fails to argue for this position (“Revising the Vulgate: Jerome and his Jewish Interlocutors,” *ZRGG* 64 [2012] 209–21, at 217).

⁸ Other Vulgate prefaces without a dedication include *Praef. Jer.*, *Praef. Ezek.*, and *Praef. Job*. For a helpful chart of Jerome’s translations (including non-scriptural translations) and the persons to whom they are dedicated, see Alfons Fürst, *Hieronymus. Askese und Wissenschaft in der Spätantike* (Freiburg: Herder, 2003) 86–87.

⁹ Fürst, *Hieronymus*, 87 n. 139.

(*Praef. Jdt.* 10) may well be Chromatius and Heliodorus.¹⁰ These features of the Judith preface, along with the similarities between the two prefaces noted earlier, indicate that we have a single date and set of recipients for both translations.¹¹ This widely accepted position will serve as the basis for some of our comments in this paper.

Thus, Jerome probably sent these translations together to Chromatius and Heliodorus, just as these same bishops had also requested new translations of the Books of Solomon (*Praef. libr. Sal.* 1). As patrons of Jerome's scholarship (*Praef. libr. Sal.* 4–6), they could exert some influence on the direction of the latter's work.¹² In fact, Jerome implies that he would have translated neither Tobit nor Judith had these bishops not repeatedly demanded it. He performs his task only to please them and not with his own "enthusiasm" (*studium; Praef. Tob.* 6). He expresses surprise that his patrons should so insist upon Latin versions of books composed in Chaldean (*Praef. Tob.* 2–3; *Praef. Jdt.* 2–5), and he hurries through the work as quickly as possible (*Praef. Tob.* 10; *Praef. Jdt.* 6). In answer to the question posed in the title of this paper, Jerome says he was forced to translate Tobit and Judith by Chromatius and Heliodorus.

However, there are reasons to doubt that this provides the full answer to our question. First, the description of a literary work as satisfying a demand from the dedicatee(s) conforms to a *topos* common in prefaces of the period.¹³ Most of the time such a statement seeks to explain why the author would undertake the daunting task requested, despite some deficiency in skill or knowledge.¹⁴ Jerome, on the other hand, gives more stress in these prefaces to the deficiency of the requested task. Nevertheless, the characterization of these translations as complying with a command from Chromatius and Heliodorus should cause no surprise and cannot be understood as necessarily reflecting accurately Jerome's own attitude.

Second, a strictly negative interpretation of the prefaces renders them a curious introduction of a literary project to the world, as if Jerome did not desire for his

¹⁰ Jean-Marie Auwers, "Chromace d'Aquilée et le texte biblique," in *Chromatius of Aquileia and His Age: Proceedings of the International Conference Held in Aquileia, 22–24 May 2008* (ed. Pier Franco Beatrice and Alessio Peršić; *Instrumenta patristica et mediaevalia* 57; Turnhout, Belgium: Brepols, 2011) 343–59, at 344 n. 8. See Migne's note at PL 29:40 note g.

¹¹ For more on the similarities between the prefaces, see Bogaert, *Judith*, 30–32; J. N. D. Kelly, *Jerome: His Life, Writings, and Controversies* (New York: Harper & Row, 1975) 284 n. 9; and Christian J. Wagner, *Polyglotte Tobit-Synopse. Griechisch, Lateinisch, Syrisch, Hebräisch, Aramäisch, mit einem Index zu den Tobit-Fragmenten vom Toten Meer* (MSU 28; Abhandlungen der Akademie der Wissenschaften in Göttingen, philologisch-historische Klasse 3/258; Göttingen: Vandenhoeck & Ruprecht, 2003) xxviii n. 73.

¹² On Jerome's patrons generally, see Megan Hale Williams, *The Monk and the Book: Jerome and the Making of Christian Scholarship* (Chicago: University of Chicago Press, 2006) 233–60, though Chromatius and Heliodorus, as minor patrons, receive no attention in the chapter.

¹³ Tore Janson, *Latin Prose Prefaces: Studies in Literary Conventions* (Acta Universitatis Stockholmiensis: Studia latina Stockholmiensia 13; Stockholm: Almqvist & Wiksell, 1964) 117–20.

¹⁴ *Ibid.*, 120–41.

version of Tobit and Judith to find an audience. But, alongside the admittedly negative statements about Tobit and Judith in the prefaces, more positive elements appear, as we will see in the final section of this paper. Recognizing the positive and negative elements in Jerome's prefaces helps us to appreciate the challenge before him of producing a version of these books considered by some to be canonical but by the translator to be noncanonical but useful.

Third, the versions themselves belie the conclusion that Jerome worked only out of obedience to the bishops. In truth, assessing Jerome's literary achievement in his work on Tobit and Judith proves exceedingly difficult due in part to the numerous complex problems presented by the textual histories of both books, to which Jerome's versions add yet more difficulties. A brief survey of the textual terrain may prove helpful: Tobit comes to us in five Qumran fragments (four in Aramaic, one in Hebrew), three different major Greek recensions—long, short, and intermediate—and an Old Latin tradition that, while originally unified, quickly developed into several distinct forms, not to mention the medieval Hebrew and Aramaic texts at hand.¹⁵ Judith presents different problems: Qumran yielded no fragments; however, the Greek tradition is somewhat more unified than that of Tobit, and a good argument can be made that this was the original language for

¹⁵ On the text of Tobit, see Robert Hanhart, *Text und Textgeschichte des Buches Tobit* (MSU 17; Abhandlungen der Akademie der Wissenschaften in Göttingen, philologisch-historische Klasse 3/139; Göttingen: Vandenhoeck & Ruprecht, 1984); Michaela Hallermayer, *Text und Überlieferung des Buches Tobit* (Deuterocanonical and Cognate Literature Studies 3; Berlin: de Gruyter, 2008). Two synopses are available: Stuart D. Weeks, Simon Gathercole, and Loren T. Stuckenbruck, *The Book of Tobit: Texts from the Principal Ancient and Medieval Traditions, with Synopsis, Concordances, and Annotated Texts in Aramaic, Hebrew, Greek, Latin, and Syriac* (Fontes et subsidia ad Bibliam pertinentes 3; Berlin: de Gruyter, 2004); Wagner, *Polyglotte Tobit-Synopse*. On the VL of Tobit, see Jean-Marie Auwers, "La tradition vieille latine du livre de Tobie. Un état de la question," in *The Book of Tobit: Text, Tradition, Theology; Papers of the First International Conference on the Deuterocanonical Books*, Pápa, Hungary, 20–21 May, 2004 (ed. Géza G. Xeravits and József Zsengellér; JSJSup 98; Leiden: Brill, 2005) 1–21. According to Auwers, despite the present textual confusion of the VL, "il y a lieu de poser une traduction unique, antérieure à Cyprien, qui la cite sous une forme déjà corrompue. Rien ne permet de mettre en doute l'origine africaine et chrétienne de cette traduction" (12); see also Simon Gathercole, "Tobit in Spain: Some Preliminary Comments on the Relations between the Old Latin Witnesses," in *Studies in the Book of Tobit: A Multidisciplinary Approach* (ed. Mark Bredin; Library of Second Temple Studies 55; New York: T&T Clark, 2006) 5–11. On the six Hebrew and Aramaic versions of Tobit dating to medieval times, see Loren T. Stuckenbruck and Stuart D. Weeks, "The Medieval Hebrew and Aramaic Texts of Tobit," in *Intertextual Studies in Ben Sira and Tobit: Essays in Honor of Alexander A. Di Lella, O.F.M.* (ed. Jeremy Corley and Vincent Skemp; CBQMS 38; Washington, D.C.: Catholic Biblical Association of America, 2005) 71–86.

the book.¹⁶ We also have later Jewish forms of the Judith story.¹⁷ How much of this was familiar to Jerome we cannot say, but his versions do not line up precisely with any of the other available text forms. In particular, his translations for both books contain several distinctive pluses in comparison to the other extant forms of these books, whether the LXX, the VL, or other. Some of these Vulgate expansions give stress to pet topics of our ascetic monk, such as the statement that Tobias and Sarah spent three days in prayer after their nuptials before they consummated their marriage (Tob 8:4), or the emphasis in Jerome's Judith on her chastity (Jdt 15:11; 16:26) and devotion to prayer.¹⁸ While the origins of these pluses are obscure, their occasional correspondence with Jerome's views indicates that they may, in part, be due to his own ingenuity.¹⁹ If this is the case, then these translations of Tobit and Judith reveal Jerome's attempt to use them as a means to advance certain of his own views, and thus he obviously wanted people to read and profit from them. He did work from his own *studium*, after all.

Finally, Jerome's Vulgate prefaces in general—and certainly this applies to Tobit and Judith—do not necessarily provide straightforward representations of his working procedure.²⁰ For instance, Jerome claims to have accomplished his work on Tobit in a single day (*Praef. Tob.* 10), and in a single night for Judith (*Praef.*

¹⁶ On the textual history of Judith, see Robert Hanhart, *Text und Textgeschichte des Buches Judith* (MSU 14; Abhandlungen der Akademie der Wissenschaften in Göttingen, philologisch-historische Klasse 3/109; Göttingen: Vandenhoeck & Ruprecht, 1979). It has usually been assumed that Judith was composed in Hebrew; see Carey A. Moore, *Judith: A New Translation with Introduction and Commentary* (AB 40B; New York: Doubleday, 1985) 66–67. For arguments that Greek may have been the original language of Judith, see Jan Joosten, “The Original Language and Historical Milieu of the Book of Judith,” *Meghillot* 5–6 (2008) *159–*176; Jeremy Corley, “Septuagintalisms, Semitic Interference, and the Original Language of the Book of Judith,” in *Studies in the Greek Bible: Essays in Honor of Francis T. Gignac, S.J.* (ed. Jeremy Corley and Vincent Skemp; CBQMS 44; Washington, D.C.: Catholic Biblical Association of America, 2008) 65–96; and the literature cited by Deborah Levine Gera, “The Jewish Textual Traditions,” in *The Sword of Judith: Judith Studies across Disciplines* (ed. Kevin R. Brine, Elena Ciletti, and Henrike Lähnemann; Cambridge, U.K.: OpenBook, 2010) 23–39, at 25 n. 6.

¹⁷ On these accounts, see Gera, “Jewish Textual Traditions,” 29–36, who says that extant Jewish literature knows of Judith only from the tenth century, and this via the Vulgate.

¹⁸ See Vincent T. M. Skemp, “Learning by Example: *Exempla* in Jerome’s Translations and Revisions of Biblical Books,” *VC* 65 (2011) 257–84, at 267–71 (Judith) and 272–74 (Tobit). On Tob 8:4, see *idem*, *The Vulgate of Tobit Compared with Other Ancient Witnesses* (SBLDS 180; Atlanta: SBL, 2000) 267.

¹⁹ On the Tobit expansions, see Skemp, *Vulgate of Tobit*, 463–66, who will only say that the additions are likely due to a Christian. Johann Gamberoni says that Jerome gave his translation “eine persönliche theologische, hauptsächlich moralische Ausrichtung” (*Die Auslegung des Buches Tobias. In der griechisch-lateinischen Kirche der Antike und der Christenheit des Westens bis um 1600* [SANT 21; Munich: Kösel, 1969] 97). On the other hand, Kelly warns that attributing “these expansions and re-writings” to Jerome “would be hazardous” (*Jerome*, 285). For a history of research on the Vulgate text of Tobit, see Skemp, *Vulgate of Tobit*, 6–14. Moore doubts that Jerome added to Judith because he did not add to other books of the Bible when translating (*Judith*, 99). At the same reference, see Moore’s list of “more extended homiletical additions” in Jerome’s Judith.

²⁰ On Tobit, see Skemp, *Vulgate of Tobit*, 15–16.

Jdt. 6), but the translations demonstrate otherwise. Scholars have repeatedly shown that Jerome relied heavily on the VL for both of these books, as he himself almost admits in regard to Judith (*Praef. Jdt.* 7).²¹ While such appropriation of a previously existing translation would have lightened the work, it also would have involved a process of cross-referencing that could not have been accomplished in the amount of time Jerome indicates. Moreover, as noted above, the Vulgate version of these books features certain expansions that probably derive in part from the translator himself, again indicating a longer period of activity than allowed for in the prefaces. Finally, his claim to have devoted extremely little time to the task is a literary *topos* that appears in the prefaces to several of his other works.²² All of this suggests that we should accept with some caution Jerome's claim that the two bishops forced him to make these translations almost against his will. Jerome invested more of himself in these books than he was willing to reveal in the prefaces.

■ Tobit and Judith among the Deuterocanonicals

We have already seen that Jerome regarded six books as edifying literature suitable for the church but outside the canon. One side of our question, then, is why he translated only two of these books. This question will not receive a definitive answer.²³ In fact, Jerome cites Wisdom of Solomon and Sirach much more often than the other four deuterocanonical books, so that if one were to guess two noncanonical books to be candidates for translation by Jerome, it would certainly be these two. And yet, in his *Preface to the Books of Solomon*, also dedicated to Chromatius and Heliodorus, he describes them as edifying but not canonical, apparently as an explanation for why he will not translate these two other "Solomonic" books (*Praef. libr. Sal.* 13–21).²⁴ In this section we will look for reasons why Jerome chose to translate Tobit and Judith instead of any other deuterocanonical books. What aspects of these two books distinguished them from the others in Jerome's mind?

²¹ See Bogaert, *Judith*, 32. Skemp notes that the Vulgate Tobit often reproduces the VL (*Vulgate of Tobit*, 455–57), as do some of Jerome's other translations (*ibid.*, 24–25).

²² Skehan, "Jerome and the Canon," 287 n. 26; Skemp, *Vulgate of Tobit*, 20–21. Nevertheless, C. J. Ball says that Jerome may have meant that he produced only the first draft in the specified amount of time ("Judith," in *The Holy Bible, according to the Authorized Version (A.D. 1611), with an Explanatory and Critical Commentary and a Revision of the Translation: Apocrypha* [ed. Henry Wace; 2 vols.; Speaker's Commentary; London: Murray, 1888] 1:243). Skehan points out that Jerome would not have been unfamiliar with the text of Tobit or Judith ("Jerome and the Canon," 287 n. 26).

²³ The fact that he translated only Tobit and Judith is enough to discredit the statement of Skemp: "Jerome was required to translate these books because his Church read them" (*Vulgate of Tobit*, 17 n. 82)—they also read the other four deuterocanonical books.

²⁴ Did Chromatius and Heliodorus request translations of Wisdom of Solomon and Sirach? These featured—along with Tobit and Judith and the books of Maccabees—in the liturgy, at least at Aquileia (the episcopal see of Chromatius), as attested by Rufinus (*Symb.* 36); see J. N. D. Kelly, *Rufinus: A Commentary on the Apostles' Creed* (ACW 20; New York: Newman, 1954) 21: Rufinus's views on the biblical canon likely "reflect the dogmatic position of the Aquileian church." The liturgical use of these books perhaps explains why Chromatius and Heliodorus requested versions of Tobit and Judith.

■ Original Language of Tobit and Judith

One distinction Jerome does make in regard to these books is their language of composition. He says of both 1 Maccabees (*Prol. gal.* 55–56) and Sirach (*Praef. libr. Sal.* 14–17) that he has seen copies in Hebrew, which he no doubt regarded as the original language for these books. On the other hand, he judges on philological grounds that both 2 Maccabees (*Prol. gal.* 56–57) and Wisdom of Solomon (*Praef. libr. Sal.* 17–19) were originally composed in Greek. He seems to think that this provides an argument against their canonicity, which is not surprising in view of his unswerving allegiance to the *hebraica veritas*. As for Tobit and Judith, in his prefaces to these two books he mentions that he is working from a copy written in a language that he calls “Chaldean,” that is, (some form of) Aramaic, and he apparently thinks that this is the original language for these books (*Praef. Tob.* 2–3; *Praef. Jdt.* 2–3).²⁵ This tells against their worthiness for translation, as he expresses surprise, or even disdain, that he would be asked to translate books written in this language.²⁶

Whether we can trust Jerome about these Chaldean *Vorlagen* has been a debated issue in scholarship. Despite the cautions we have already expressed about taking Jerome’s prefaces at face value, there is in fact little reason to doubt that a Jewish community in Jerome’s day had in its possession a reworked Aramaic copy of Tobit and an Aramaic copy of Judith. Granted, the copy of Tobit serving as Jerome’s *Vorlage* would have to have been quite different from the Qumran Aramaic copies.²⁷ But recent scholarship has emphasized repeatedly that ancient Jews regularly produced revised editions of their literature.²⁸ A Jewish community in Jerome’s day possessing a revised Aramaic copy of Tobit does not seem at all unlikely. What about Judith? It was certainly written by a Jew, whatever the original language may have been. Even if it was composed in Greek, it is possible that Jerome had access

²⁵ On Jerome’s use of the term “Chaldean” for biblical Aramaic, see Gallagher, *Hebrew Scripture*, 126 n. 72. According to Skemp: “It is clear from the letter to Bishops Chromatius and Heliodorus that Jerome considered Aramaic the original language of Tobit” (*Vulgata of Tobit*, 24).

²⁶ Contra Otto Wermelinger, “Le canon des Latins au temps de Jérôme et d’Augustin,” in *Le Canon de l’Ancien Testament. Sa formation et son histoire* (ed. Jean-Daniel Kaestli and Otto Wermelinger; Le Monde de la Bible 10; Geneva: Labor et Fides, 1984) 152–96, who says that Jerome translated Tobit and Judith (and the additions to Daniel!) because they partook of the *chaldaica veritas* (191 and n. 157). On the relationship in Jerome’s mind between Tobit and Judith’s language of composition and their canonicity, see Gallagher, *Hebrew Scripture*, 138–41.

²⁷ Skemp, *Vulgata of Tobit*, 466–67: “Jerome’s Aramaic *Vorlage* differed considerably from the extant Qumran Aramaic fragments.”

²⁸ One thinks especially of the category “rewritten scripture,” on which see recently Molly M. Zahn, “Genre and Rewritten Scripture: A Reassessment,” *JBL* 131 (2012) 271–88. On ancient Jewish revisions of literature, see also, e. g., David M. Carr, *The Formation of the Hebrew Bible: A New Reconstruction* (Oxford: Oxford University Press, 2011); Kristin De Troyer, *Rewriting the Sacred Text: What the Old Greek Texts Tell Us about the Literary Growth of the Greek Bible* (Text-Critical Studies 4; Atlanta: SBL, 2003).

to a Syriac translation, which became the basis for his own work.²⁹ At least, this has been suggested in recent scholarship.³⁰ While Origen says that the Jews known to him did not possess Tobit or Judith even in the apocrypha in Hebrew (*Ep. Afr.* 19), Jerome's information that some Jewish communities did possess Aramaic forms of these works seems plausible. To what extent Jerome's translations are actually dependent on these Chaldean *Vorlagen* is a difficult issue.³¹ For now we can note that Jerome does not represent the original language of Tobit and Judith to be a point in favor of translation.

Date of the Translations

It might help us if we knew the dates of these translations. Unfortunately, we have almost no information in this regard. Jerome never mentions these two translations in his other writings. The period in which he was involved in translating the Hebrew Bible stretched from about 390 to 406. He could have worked on Tobit and Judith at almost any point during this period. He could not have worked on them much earlier than 390 or later than 406, in view of the life events of the two bishops to whom he dedicated the books. Chromatius only became bishop of Aquileia in 388, and both he and Heliodorus died about 407.³²

Some scholars date these translations very early in this period, before 390. If so, then perhaps Jerome at one time planned to produce Latin versions of each of the deuterocanonical books but abandoned the project when he determined to focus exclusively on the *hebraica veritas*. This line of reasoning makes a great deal of sense if one accepts the older view that Jerome recognized the importance and authority of the Hebrew text and canon only shortly before he started to translate the Hebrew Bible into Latin. Would he have worked on Tobit and Judith after that point?³³ Problems attend this view, because scholars now generally recognize that

²⁹ Jerome was able to recognize the original Greek composition of Wisdom of Solomon and 2 Maccabees based on the style. If Judith was written in Greek, the style conformed so well with Semitic style that it fooled Jerome, just as it has then fooled the majority of modern scholars, who have typically posited a Semitic original.

³⁰ Joosten, "Original Language," *167; Bogaert, *Judith*, 32, who reports that the Syriac closely resembles the VL; see also Hasselhoff, "Revising the Vulgate," 217. However, Edwin Edgar Voigt denies that Jerome's *Vorlage* was related to the Syriac (*The Latin Versions of Judith* [Leipzig: Drugulin, 1925] 8).

³¹ Auwers is very skeptical in regard to Tobit ("Chromace d'Aquilée," 355). Skemp is more open to the possibility (*Vulgate of Tobit*, 20), as is Moore (*Tobit*, 62).

³² For brief surveys on these two bishops, see Edmund Venables, "Chromatius," *DCB* 1:503–4; William Henry Fremantle, "Heliodorus," *DCB* 2:887–88; Fürst, *Hieronymus*, 164–65, 182–83; and the sources cited in Bogaert, *Judith*, 31 n. 1.

³³ This line of reasoning is implicit in Jay Braverman, *Jerome's Commentary on Daniel: A Study of Comparative Jewish and Christian Interpretations of the Hebrew Bible* (CBQMS 7; Washington, D.C.: Catholic Biblical Association of America, 1978) 44–45. On the other hand, some scholars do not believe that Jerome ever truly adhered to the narrow canon; see Maurice E. Schild, *Abendländische Bibelvorreden bis zur Lutherbibel* (Quellen und Forschungen zur Reformationsgeschichte 39;

Jerome actually affirmed the authority of the *hebraica veritas* even before his move to Bethlehem in 386, as it is evident in letters dating from his second stay in Rome (382–385), when he was serving as secretary to Pope Damasus.³⁴ But it has also been suggested that these translations date to early in Jerome's habitation in Bethlehem because, so it is thought, the *Preface to Tobit* implies that Jerome was at the time incompetent at the Chaldean language, whereas he knew this language well enough in the early 390's to translate Daniel. Thus, in Jerome's *Tobit* and *Judith* we might be dealing with translations dating before he learned Chaldean.³⁵ Perhaps, then, we can still attribute his translations of *Tobit* and *Judith* to an early plan to translate each of the deuterocanonicals, a plan aborted upon the decision to focus on the Hebrew canon.

There are at least a couple of problems with the view that these translations preceded his study of Chaldean. First, in a letter dating to the 370's (*Ep. 17.2*) Jerome describes how he struggled to acquaint himself with Syriac in the desert of Chalcis.³⁶ Whatever relationship Jerome saw between the languages he dubbed Syriac and Chaldean, there can be no doubt that they are both types of Aramaic. So it is nearly impossible to date the *Tobit* and *Judith* translations to a period when Jerome had not familiarized himself with this language but had already learned Hebrew. Second, Jerome does not actually say in the *Preface to Tobit* that he is incompetent at Chaldean. Instead, Jerome describes a peculiar translation procedure whereby he secured the services of an expert in Semitics to render orally the Chaldean text of *Tobit* into Hebrew, so that he could then translate orally this Hebrew into Latin, which a scribe then wrote down. While one explanation for this procedure would be an inability on the part of Jerome to understand the Chaldean, other explanations

Gütersloh: Gütersloher Verlagshaus, 1970) 29–30; Josef Lössl, "A Shift in Patristic Exegesis: Hebrew Clarity and Historical Verity in Augustine, Jerome, Julian of Aeclanum and Theodore of Mopsuestia," *AugStud* 32 (2001) 157–75, at 163–66.

³⁴ Kamesar, *Jerome*, 49–58; Fürst, *Hieronymus*, 102–6; Williams, *Monk and the Book*, 60–62; and Andrew Cain, *The Letters of Jerome: Asceticism, Biblical Exegesis, and the Construction of Christian Authority in Late Antiquity* (Oxford Early Christian Studies; Oxford: Oxford University Press, 2009) 53–67, 78–86.

³⁵ L. H. Cottineau, "Chronologie des versions bibliques de Saint Jérôme," in *Miscellanea Geronomiana. Scritti varii pubblicati nel XV centenario dalla morte di San Girolamo* (Rome: Tipografia poliglotta vaticana, 1920) 43–68, at 62; Hasselhoff, "Revising the Vulgate," 216–17 (in regard to *Tobit* only).

³⁶ On Jerome's knowledge of Aramaic, see Fürst, *Hieronymus*, 76–77; Daniel King, "Vir Quadrilinguis? Syriac in Jerome and Jerome in Syriac," in *Jerome of Stridon: His Life, Writings and Legacy* (ed. Andrew Cain and Josef Lössl; Farnham, U.K.: Ashgate, 2009) 209–23. Jerome's description of himself as "vir trilinguis"—focusing on Latin, Greek, and Hebrew—neglects to embrace Aramaic as one of the languages he has mastered. This is probably because Jerome did not see the advantage in advertising himself as skilled in Aramaic. On the other hand, knowledge of Hebrew was central to his authority; see Williams, *Monk and the Book*, 123–31. Jerome perhaps thought that his authoritative knowledge of Hebrew was highlighted better by a reference to three languages than four.

are also possible.³⁷ It especially seems odd that Jerome in this preface would want to admit linguistic incompetence preventing him from translating directly from the original language, a hallmark of his scholarship. We will explore later other possible causes for Jerome's decision to describe such a translation procedure in this preface. For now, we simply acknowledge that it does not offer a strong argument for dating these translations early.

Most scholars instead prefer a somewhat later date.³⁸ Vincent Skemp argues from variations in Jerome's translation technique for assigning the translations to the period 396–407.³⁹ He relies on work done several decades ago by Benjamin Kedar-Kopfstein, who determined that Jerome's translation technique evolved from fairly literal in the early years to much more dynamic near the turn of the fifth century.⁴⁰ Since Tobit and Judith are decidedly dynamic translations, Skemp reasons that they properly belong in this later period.⁴¹ But the argument appears flawed. Jerome famously declares in *Epistle 57.5*, dating to 395, that, although sense-for-sense translations are to be preferred almost always, in the case of Scripture word-for-word translations are best, because the very order of the words is a mystery. Jerome wrote *Epistle 57* at a time, ironically, when he was becoming freer in his scriptural translations.⁴² This suggests that even if Jerome did not follow his theory in practice, he still wanted to advertise his biblical translations as "literal."⁴³ For instance, Jerome translated Esther very late in his translation career (ca. 405), and he produced a paraphrastic translation in places, but he still asserts in the preface that it is a "word-for-word" translation (*verbum e verbo; Praef. Esth. 2*). And yet, in the Judith preface, Jerome readily admits that he translated the book "more sense for sense than word for word" (*Praef. Jdt. 6–7*). It seems that Jerome drew a theoretical distinction between Judith and other scriptural books in terms of the suitability of a sense-for-sense translation; presumably for Judith, and Tobit also,

³⁷ See Friedrich Stummer, *Einführung in die lateinische Bibel* (Paderborn: Schöningh, 1928) 94; Gamberoni *Auslegung des Buches Tobias*, 74: "Jedoch können auch Bequemlichkeit, Eile, geringes Interesse an dieser aus Rücksicht auf Freunde unternommenen Arbeit sowie die oft beklagten Krankheiten und der Zustand seiner Augen ihn zu diesem Weg bewogen haben."

³⁸ Sometimes this view comes unaccompanied by argumentation; see, e.g., Ball, "Judith," 243; Moore, *Judith*, 96, both of whom give the date of 398. For some proposed dates (and reasons), see Skemp, *Vulgate of Tobit*, 16 n. 80.

³⁹ Vincent T. M. Skemp, "Jerome's Tobit: A Reluctant Contribution to the Genre Rewritten Bible," *RBén* 112 (2002) 5–35 at 8.

⁴⁰ Benjamin Kedar-Kopfstein, "The Vulgate as a Translation: Some Semantic and Syntactical Aspects of Jerome's Version of the Hebrew Bible" (Ph.D. diss., Hebrew University of Jerusalem, 1968) 284–85.

⁴¹ Skemp, *Vulgate of Tobit*, 27–28.

⁴² See again Kedar-Kopfstein, "Vulgate as a Translation," 284, and compare the chronology of the translations as listed on p. 55. See also Fürst, *Hieronymus*, 88–90. On Jerome's statements regarding translation of scripture in *Ep. 57.5*, see esp. G. J. M. Bartelink, *Hieronymus. Liber de optimo genere interpretandi (Epistula 57). Ein Kommentar* (Leiden: Brill, 1980) 44–47.

⁴³ For a partial exception, see *Praef. Job* 16, where Jerome says that his translation "nunc verba, nunc sensus, nunc simul utrumque resonabit."

the very order of the words was not so mysterious. Since these books did not require a literal translation even theoretically, the paraphrastic version offered by Jerome could presumably fit at any point in his career, regardless of the translation style he happened to be employing for canonical books at the time. And so the argument for a later date based on a comparison of translation techniques with other Vulgate books may be illegitimate.

Johann Gamberoni supplies the best argument on behalf of a later date in Jerome's translating career. He interprets the tone and content of the prefaces as expressive of a time not when Jerome is engaged in translating the Septuagint (as he did in the late 380's and perhaps early 390's), but rather when the translations from the *hebraica veritas* had already become well known.⁴⁴ He suggests a date of about 405, and in this he is followed by Jerome's best-known biographer in English, J. N. D. Kelly.⁴⁵ The significance of this date for our immediate purposes is that of a negative conclusion: the reason Jerome translated Tobit and Judith and not the other deuterocanonical books was not because he abandoned a project of translating the deuterocanonical literature when he determined to work exclusively from the *hebraica veritas*. We will later see that this date can play a part in interpreting the translation procedure described by Jerome.

■ Tobit and Judith as Ancient Israelite Literature

An examination of Jerome's comments on Tobit and Judith may reveal his attitude toward these books and in turn shed light on his decision to translate them. Aside from the *Preface to Tobit* itself, Jerome mentions Tobit by name five times in his writings.⁴⁶ Two of these we have already had occasion to notice: Jerome declares Tobit to be among the apocrypha in the *Prologus galeatus*, but he allows for the church to read Tobit in the *Preface to the Books of Solomon*. Something very similar to what we read in the latter preface is contained in the prologue to Jerome's *Commentary on Jonah* (both were written in 396): he quotes the short Greek form of Tob 14:3–4, but precedes this with the comment: “although it is not in the canon, nevertheless it is used by ecclesiastical men.” Earlier he had quoted Tob 12:7 in his *Commentary on Ecclesiastes*. Finally, in 407, in his *Commentary on Daniel*, Jerome uses Tobit for information about angels. Here, he adds the line, “if it pleases

⁴⁴ Gamberoni, *Auslegung des Buches Tobias*, 74.

⁴⁵ Kelly, *Jerome*, 284; also Ferdinand Cavallera, *Saint Jérôme. Sa vie et son œuvre, première partie* (2 vols.; Spicilegium sacrum lovaniense 1–2; Paris: Champion, 1922) 1:291; Wagner, *Polyglotte Tobit-Synopse*, xxviii n. 71.

⁴⁶ *Comm. Eccl.* 8:2 (388/389 C.E.); *Prol. gal.* 52–57 (393 C.E.); *Praef. libr. Sal.* 19–21 (396 C.E.); *Comm. Jon.*, prol. (396 C.E.); and *Comm. Dan.* 8:16–17 (407 C.E.). Aside from these references, Schade also includes a quotation of Tob 4:16 in Jerome's *Comm. Matt.* 21:28–32 (398 C.E.) (*Inspirationslehre*, 193 [no. 157]). However, the alleged quotation is the negative of the Golden Rule (“quod tibi non vis fieri alteri non feceris”), which Jerome does not claim to be deriving from any particular source. Moreover, the correspondence with the Latin of Tob 4:16, whether of the VL or the Vulgate, is not very close.

anyone to accept the Book of Tobit," but it seems clear that Jerome himself trusts the information he finds there.

As for Judith, aside from the preface to his translation, Jerome mentions her eight times in his writings.⁴⁷ Again, as with Tobit, these instances include the *Prologus galeatus* and the *Preface to the Books of Solomon*, discussed earlier. A couple of times Jerome declares Judith a type of the church in that she decapitates the enemies of the Lord (*Comm. Soph.*, prol.; *Ep.* 79.11). Elsewhere he holds her up as an example for widows, praises her chastity, and represents her as awaiting the coming of the Bridegroom (*Ep.* 54.16; *Ep.* 79.11).⁴⁸ There are also times when he offers a qualification as he does for Tobit (*Ep.* 54.16; *Comm. Agg.* 1:5).⁴⁹ But it never seems that Jerome doubts the information contained in the book. There are even a couple of times when he seems to imply that Judith herself wrote the book, as when he calls it "the book of a woman" (*Comm. Agg.* 1), or when he says that Judith gave her name to the book (*Ep.* 65.1).⁵⁰

Apparently, Jerome regarded both Tobit and Judith as authentic ancient Israelite literature that gives an accurate account of the events it describes. This view of the books certainly commands a consensus in the patristic period. Apparently no father ever questioned the historical value of these books. Indeed, even Julius Africanus used Tobit as a historical source for the exile in his *Epistle to Origen* (§ 6), in which he argued against the authenticity of Susanna.⁵¹ Now, Jerome never comments on what are commonly regarded as Judith's most egregious historical blunders, such as making Nebuchadnezzar the king of the Assyrians in the post-exilic period. Other fathers do mention these features and have ways of maintaining the historicity of

⁴⁷ *Ep.* 22.21 (384 C.E.); *Comm. Soph.*, prol. (393 C.E.); *Comm. Agg.* 1:5 (393 C.E.); *Prol. gal.* 52–57 (393 C.E.); *Ep.* 54.16 (394–95 C.E.); *Praef. libr. Sal.* 19–21 (396 C.E.); *Ep.* 65.1 (397 C.E.); and *Ep.* 79.11 (400 C.E.). I omit *Ruf.* 1.18, in which Jerome explicitly quotes Origen's *Miscellanies* (*Stromata*) in reference to Judith's example of telling lies.

⁴⁸ Other fathers also exalted Judith's example: see, e.g., Ambrose, *Virg.* 2.2.4; *Vid.* 7; and Paulinus of Nola, *Carmen* 26.159–165. On the Latin reception of Judith, especially by Prudentius, see Marc Mastrangelo, "Typology and Agency in Prudentius' Treatment of the Judith Story," in *Sword of Judith* (ed. Brine, Ciletti, and Lähnemann), 153–68.

⁴⁹ Oddly, Skemp interprets Jerome's phrase "si cui tamen placet uolumen recipere" (*Ep.* 54.16) as "an appeal for receiving the book [of Judith] as canonical" ("Learning by Example," 267). At *Comm. Agg.* 1:5, Jerome words the qualification this way: "si quis tamen uult librum recipere mulieris."

⁵⁰ W. P. Brown, "Judith, Book of," in *Dictionary of Biblical Interpretation* (ed. John H. Hayes; 2 vols.; Nashville: Abingdon, 1999) 1:647–50: "Indeed, Jerome's opinion was that the work was written by Judith herself" (647); see also Schade, *Inspirationslehre*, 182.

⁵¹ See Gallagher, *Hebrew Scripture*, 31.

Judith. For instance, Jerome's contemporary Sulpicius Severus explains the name "Nebuchadnezzar" as a nickname for a Persian king (*Chron.* 2.14).⁵²

Thus, Jerome's view that Tobit and Judith contain accurate historical accounts from the biblical period was widely shared. This is certainly one way that Tobit and Judith distinguished themselves from the other deuterocanonical books, for it almost goes without saying that Jerome did not hold the same view with regard to the other four. It is not that he considered their content dubious, but rather that their date tells against them. Of course, he knew that 1 and 2 Maccabees could have been written no earlier than the Maccabean period, long after "biblical" history had come to a close.⁵³ Sirach also gives evidence of its late composition, whether in its Hebrew form (e.g., Sir 50:1, mentioning Simon son of Onias)—which Jerome claims to have seen (*Praef. libr. Sal.* 14–17)—or even more obviously in its Greek form with the famous prologue supplied by Sirach's grandson.⁵⁴ Finally, Jerome declares the Wisdom of Solomon to be a "pseudepigraphon" originally written in Greek and possibly authored by Philo (*Praef. libr. Sal.* 13, 17–19). Of the six deuterocanonical books that Jerome approves for Christian liturgy (*Praef. libr. Sal.* 19–21), to his mind only Tobit and Judith authentically represent ancient Israelite literature.

■ The Prefaces

Now we turn to the prefaces to see how Jerome characterizes these books and his translations of them. I have already noted that in both the Tobit preface and the Judith preface, Jerome expresses his displeasure at being forced (so he says) to translate a book written in the Chaldean language and not featuring in the Jewish biblical canon. He refuses to waste much time on the job, reserving only one day for Tobit and one night for Judith. In each preface, also, he offers some justification for following through with the request. For Tobit, he says that "it is better to displease the judgment of Pharisees and to be subject to the commands of bishops" (*Praef. Tob.* 7–8). For Judith, he says that "the Nicene Council is read [legitur] to have reckoned this book in the number of the sacred Scriptures" (*Praef. Jdt.* 3–4).

⁵² On the assumed historical character of Judith, see also Sulpicius Severus, *Chron.* 2.12.1; 2.14; Augustine, *Civ.* 16.13; 18.26. Augustine places the events of Judith during the reign of Darius the Persian (*Civ.* 18.26), though he does not discuss the problem of the appearance of Nebuchadnezzar. Sulpicius thinks the king nicknamed Nebuchadnezzar was really Ochus, that is, Artaxerxes III (358–338 B.C.E.) (*Chron.* 2.14). See in general Anton Biolek, "Die Ansicht des christlichen Altertums über den literarischen Charakter des Buches Judith," *Weidenauer Studien* 4 (1911) 335–68.

⁵³ On the ancient conception of the age of prophecy, see, e.g., Karel van der Toorn, *Scribal Culture and the Making of the Hebrew Bible* (Cambridge: Harvard University Press, 2007) 252–64; Gallagher, *Hebrew Scripture*, 14–19.

⁵⁴ A few Greek minuscules lack this prologue; see Joseph Ziegler, *Sapientia Iesu Filii Sirach* (2nd ed.; Septuaginta 12.2; Göttingen: Vandenhoeck & Ruprecht, 1980) 123. Possibly the original Latin translation also lacked the prologue; see *ibid.*, 14, 18–19; Donatien de Bruyne, "Le prologue, le titre et la finale de l'Ecclésiastique," *ZAW* 47 (1929) 257–63, esp. 259–60; cf., however, the cautions expressed by Walter Thiele, *Sirach (Ecclesiasticus)* (VL 11.2; Freiburg: Herder, 1987) 123.

Actually, we have no record—other than this statement by Jerome—that the subject of the biblical canon was broached at Nicaea.⁵⁵ It would certainly be strange for the Nicene divines to have included Judith and not Tobit, if that is what we are to infer from Jerome’s comments, and it would be stranger still for so many Greek and Latin fathers—including Athanasius (*Ep. fest.* 39), Gregory of Nazianzus (*Carmen* 1.12), Hilary of Poitiers (*Instr. Ps.* 15), all defenders of Nicaea—to have ignored completely the Nicene decision by continuing to exclude Judith from the canon, which they all did. Jerome himself is somewhat noncommittal on this point: he says that the Council “is read” to have taken this action. He may be referring to a statement made by Chromatius and Heliodorus themselves, or he may be referring to something like the *Apostolic Canons*, which does, in some manuscripts, contain Judith and not Tobit.⁵⁶ In any case, Jerome himself explicitly declares in his *Preface to the Books of Solomon* that the church has not received Judith as canonical.⁵⁷ But in the Judith preface, Jerome uses the vague reference to Nicaea to justify his work. That is, he uses what he must have regarded as dubious historical information to represent Judith in a positive light even as he professes himself annoyed by it.

■ *Agiografa*

A couple of other points in these prefaces also seem to cast favor upon Tobit and Judith and explain Jerome’s translations of them. For instance, he says about both books that they are included by the Jews in a category called *agiografa* (*Praef. Tob.* 4–5: “quae agiografa memorant”; *Praef. Jdt.* 1: “apud Hebraeos”). This is a rare term in Latin; it does not occur before Jerome, and his usage clearly became the basis for the term’s appearance in some later Fathers, including Cassiodorus (*Inst.* 1.3.4; 1.6.1; 1.12.1) and Isidore (*Etymolog.* 6.1.3; 6.1.7–8).⁵⁸ Jerome himself uses the word only seven times in his writings: in these two prefaces to Tobit and Judith, and then twice in the *Preface to Daniel* (46; 48) and three times in the *Prologus galeatus* (36, in Greek; 45, bis). In the *Preface to Daniel* and the *Prologus galeatus*—both written in the early 390’s—the term refers to the third section of the Jewish canon, the Hagiographa (the first two being the Law and the Prophets). That cannot be what the term means in the prefaces to Tobit and Judith. Jerome says in the Tobit preface that the Jews have excluded Tobit “from the catalogue of

⁵⁵ A fact long noted; see Ball, “Judith,” 243; Schade, *Inspirationslehre*, 172–73; and Ralph Hennings, *Der Briefwechsel zwischen Augustinus und Hieronymus und ihr Streit um den Kanon des Alten Testaments und die Auslegung von Gal. 2,11–14* (VCSup 21; Leiden: Brill, 1994) 195 n. 269.

⁵⁶ For the first suggestion, see Ball, “Judith,” 243; for the second, see Bogaert, *Judith*, 31 and n. 2. On the textual variety of the *Apostolic Canons* at this point, see Gallagher, *Hebrew Scripture*, 26 and n. 47. The *Dialogue of Timothy and Aquila* also includes Judith in the canon and Tobit in the apocrypha.

⁵⁷ Pointed out by Braverman, *Jerome’s Commentary on Daniel*, 45 n. 55.

⁵⁸ It appears that the use of the term in the *Praef. Tob.* and *Praef. Jdt.* had no effect on its later use, but rather it always subsequently referred to the third section of the Jewish canon, exclusive of Tobit and Judith.

the divine Scriptures" and have placed it into this category of the *agiografa* (*Praef. Tob.* 4–5).⁵⁹ In the Judith preface, Jerome defines the *agiografa* as a category "whose authority is judged to be less suitable for determining those things that come into contention" (*Praef. Jdt.* 1–2), which resembles what he and others say about the noncanonical but useful books.⁶⁰

It should be pointed out that Jerome does not say in these prefaces that the Jews include Tobit and Judith in the apocrypha, though this reading—*apocrypha* rather than *agiografa*—has been popularized through its inclusion in the text printed by Migne.⁶¹ The textual evidence presented in the Roman edition of the Vulgate shows that almost all manuscripts contain the term *agiografa* in both prefaces.⁶² The only reason to prefer the reading *apocrypha*, as Migne admits in his notes, is if it is thought that it alone makes sense in context.⁶³ Actually, it makes much less sense. Jerome would not have said that the Jewish *apocrypha* have less authority in deciding contentious matters; he would have said they have no authority. His definition of the term *apocrypha* was very similar to that of Athanasius (*Ep. fest.* 39.21–23) and Augustine (*Civ.* 15.23), who used the term to describe the dangerous books of the heretics.⁶⁴ On the other hand, the rarity of the term *agiografa* in Latin means that Jerome can define the word however he wants, and he does just that in the *Preface to Judith*. The reading *agiografa* is textually secure.

So, Jerome uses the term *agiografa* in two different ways in his writings.⁶⁵ In the *Preface to Daniel* and the *Prologus galeatus*, *agiografa* is the name for the third section of the Jewish canon. In the prefaces to Tobit and Judith, the *agiografa*

⁵⁹ Skemp points out that Jerome distinguishes the *agiografa* from the *divinae scripturae* (*Vulgate of Tobit*, 17).

⁶⁰ *Praef. libr. Sal.* 19–21; Rufinus, *Symb.* 36. Skemp (*Vulgate of Tobit*, 17) and Moore (*Tobit*, 62) think that *agiografa* here means "noncanonical"; see also Roger T. Beckwith, *The Old Testament Canon of the New Testament Church and Its Background in Early Judaism* (Grand Rapids, Mich.: Eerdmans, 1985) 392 and 428 n. 223 ("religious literature"). For a recent analysis of the function of this "third category" of religious literature (neither canonical nor apocryphal) in ancient Christianity, see François Bovon, "Beyond the Canonical and the Apocryphal Books, the Presence of a Third Category: The Books Useful for the Soul," *HTR* 105 (2012) 125–37.

⁶¹ The reading is accepted in Cottineau, "Chronologie," 62; Gera, "Jewish Textual Traditions," 29 n. 20; and Elena Ciletti and Henrike Lähnemann, "Judith in the Christian Tradition," in *Sword of Judith* (ed. Brine, Ciletti, and Lähnemann) 41–65, at 43 and 44, who continue to rely on Migne's text. See Gallagher, "Old Testament 'Apocrypha,'" 226–27 n. 50.

⁶² *Libri Ezrae Tobiae Iudith* (vol. 8 of *Biblia Sacra iuxta Latinam vulgatam versionem ad codicium fidem*; Rome: Tipografia poliglotta vaticana, 1950) 155 (Tob) and 213 (Jdt).

⁶³ See Migne's note at PL 29:23c–24a (quoting Jean Martianay) and 24b.

⁶⁴ See Gallagher, "Old Testament 'Apocrypha,'" 223–33. The paragraph numbers of Athanasius's *Ep. fest.* 39 follow those used in David Brakke, "A New Fragment of Athanasius's Thirty-Ninth Festal Letter: Heresy, Apocrypha, and the Canon," *HTR* 103 (2010) 47–66. On Augustine, see Finian D. Taylor, "Augustine of Hippo's Notion and Use of the Apocrypha" (PhD diss., University of Notre Dame, 1978).

⁶⁵ If our dating of Jerome's Tobit and Judith translations is correct, these two uses are separated by about a decade.

is a collection of noncanonical writings valued and read by Jews.⁶⁶ Jerome's employment of this term in reference to Tobit and Judith serves to increase the importance and relevance of his translations.

■ The Translation Procedure

Another interesting feature of Jerome's prefaces to these books is the way he describes his process of translation for Tobit, and presumably for Judith, also. At first Jerome seems to represent the Chaldean composition of Tobit as a negative point, somehow related to the Jewish exclusion of the book from the canon (*Praef. Tob.* 2–5). A few lines later in the preface, he reports that Chaldean and Hebrew are similar languages and that this has somehow allowed him to secure the services of someone competent in both languages, who translated into Hebrew so that Jerome could then translate into Latin (*Praef. Tob.* 8–11). Several features of this report are peculiar. First, Jerome's information that Chaldean and Hebrew are similar languages seems irrelevant to the point at hand. Second, the whole account sounds like an admission of incompetence on Jerome's part in regard to the Chaldean language.⁶⁷ We have already found reason to question this idea. Indeed, especially if the dating mentioned above is correct—sometime around the turn of the fifth century—then it is impossible to believe that Jerome would at this time have intended his readers to think that he could not read Chaldean. In his *Preface to Daniel* from the early 390's he describes the great difficulty he had in learning the Chaldean language in order to translate that book (*Praef. Dan.* 11–19). In 407, Jerome wrote a commentary on Daniel, in which he often mentions the Chaldean text and even refers to the *chaldaica veritas* (*Comm. Dan.* 5:11). In both of these instances, Jerome obviously intended his readers to understand that he was fully capable of reading the Chaldean language. If the translations of Tobit and Judith came sometime between Jerome's translation of Daniel and his commentary on Daniel (as is surely the case), then, no matter his actual abilities in Aramaic, he would not have wanted his readers to get the impression that he could not read the language.

A third peculiarity of Jerome's report of the translation procedure is that the linguistic assistant translated the text into Hebrew rather than into Greek. It could be that the purpose of this passage in the preface is to disparage the Book of Tobit: Jerome thought so little of the book that he did not even bother to read it in Chaldean.⁶⁸ But in that case, it should not really matter whether Jerome himself worked from Hebrew or Greek. So, why did the linguistic assistant translate into

⁶⁶ On the use of such literature among Jews, see Gilles Dorival, "Has the Category of 'Deuterocanonical Books' a Jewish Origin?," in *The Books of Maccabees: History, Ideology, Theology. Papers of the Second International Conference on the Deuterocanonical Books, Pápa, Hungary, 9–11 June, 2005* (ed. Géza G. Xeravits and József Zsengellér; JSJSup 118; Leiden: Brill, 2007) 1–10.

⁶⁷ Skemp, *Vulgate of Tobit*, 19: "he was not proficient in Aramaic"; see also Moore, *Tobit*, 61.

⁶⁸ Skemp, *Vulgate of Tobit*, 19: "He did not exert a great deal of effort in translating Tobit."

Hebrew and not Greek? Perhaps this helper did not know Greek, but that seems unlikely given his place of residence—Palestine at the turn of the fifth century.⁶⁹ Surely Hebrew could not have been an easier language for Jerome than Greek. Perhaps translation into Hebrew was a step of the process important to Jerome.

Given certain assumptions—Jerome could read Chaldean (or, at least, would not have wanted to let on that he could not); Jerome wanted Tobit translated into Hebrew (not Greek) before it came into Latin; and Jerome wanted to make clear that Hebrew and Chaldean are similar—we might be able to reconstruct the thoughts behind this report. I suggest that Jerome explained his translation procedure with the intent of casting a positive light on his work. Jerome wanted his readers to know that he himself actually translated from Hebrew so that they would have a more favorable impression of his Tobit translation, and his Judith translation, too, for that matter.⁷⁰ These books partook of something like the *hebraica veritas*.⁷¹ In that case, the similarity of Chaldean and Hebrew, which Jerome also mentions, allows for the first translation by the skilled assistant—an “expert” at both languages (*peritissimus; Praef. Tob.* 9)—to proceed smoothly without the loss of significant meaning. On other occasions Jerome describes pejoratively a translation of a translation as akin to pouring something into the “third jar.”⁷² That apparently would not be a problem in this instance because of the similarity of Chaldean to Hebrew. In this interpretation, the hiring of the assistant stemmed not from incompetence in reading Chaldean on Jerome’s part, but rather from his inability to produce Hebrew. This passive ability in Hebrew agrees with recent assessments in Jerome’s Hebrew skills and is something that Jerome admits in relation to Chaldean (*Praef. Dan.* 18–19).⁷³

The consequence of all this is that whereas the VL of Tobit and Judith was translated from Greek, Jerome advertised his version as a translation from the original Chaldean that actually passed through Hebrew on its way to Latin. Jerome typically justified his other Old Testament translations by claiming that they would improve upon available versions both in terms of the textual base (Hebrew, rather than Greek) and by rectifying the extreme diversity of the extant manuscripts.⁷⁴

⁶⁹ Pieter W. van der Horst, “Greek in Jewish Palestine in Light of Jewish Epigraphy,” in *Hellenism in the Land of Israel* (ed. John J. Collins and Gregory E. Sterling; Christianity and Judaism in Antiquity 13; Notre Dame, Ind.: University of Notre Dame Press, 2001) 154–74; Willem Smelik, “The Languages of Roman Palestine,” in *The Oxford Handbook of Jewish Daily Life in Roman Palestine* (ed. Catherine Hezser; Oxford: Oxford University Press, 2010) 122–41.

⁷⁰ Jerome does not mention this process of translation in the Judith preface. Reading it by itself would leave the impression that Jerome personally worked from the Chaldean with no intermediate step. The suggestion made here would require that the Tobit and Judith translations appeared at the same time and that one preface may be read in light of the other, as argued earlier in this paper.

⁷¹ Of course, this method of translation also displays Jerome’s remarkable facility in the Hebrew language, always something Jerome enjoyed broadcasting.

⁷² *Praef. libr. Sal.* 24–25; and see Kamesar, *Jerome*, 45–46.

⁷³ See Graves, *Jerome’s Hebrew Philology*; Hillel I. Newman, “How Should We Measure Jerome’s Hebrew Competence?,” in *Jerome of Stridon* (ed. Cain and Lössl), 131–40.

⁷⁴ See Fürst, *Hieronymus*, 102–16.

His prefaces to Tobit and Judith imply that the same motivations were at play. On the one hand, he “eradicated the terrible variety of the many codices” (*Praef. Jdt.* 7). On the other hand, he based his versions of these books on the best available *Vorlage*: the original Chaldean text. Moreover, an excellent linguist put them in the nearly identical Hebrew language so that Jerome could then translate this into Latin. While it is certainly a more complicated procedure than that used for his other biblical translations, the former shares with the latter many of the same elements.

■ Conclusion

Why did Jerome translate Tobit and Judith? Our study has isolated several possible factors. First, he seems to have viewed these two books as authentic ancient Israelite literature, albeit written in Chaldean rather than Hebrew. He did not view the books of Maccabees, Wisdom of Solomon, or Sirach as ancient Israelite literature. Second, his classification of these books as *agiografa* increased their prestige, even though he uses the term to mean something different from his earlier use of it in the *Preface to Daniel* and the *Prologus galeatus*. Third, the peculiar translation process he describes in the *Preface to Tobit* allowed these Chaldean books to share—however tenuously—in the *hebraica veritas*, so that his translation would be truer and more correct than the VL. A first or second reading of these prefaces, especially the Tobit preface, may leave the impression that Jerome would rather not have translated these books at all—an impression created, I think, by Jerome’s desire to stress their non-canonicity. Nevertheless, the translations themselves and certain elements of the prefaces reveal that Jerome did want these translations to find an audience that would profit from reading Tobit and Judith.

■ Appendix

*Preface to Tobit*⁷⁵

Jerome to Chromatius and Heliodorus, bishops, greetings in the Lord.

I do not cease to marvel at the urgency of your demand. For you demand that I bring into Latin style a book composed in Chaldean speech, namely, the book of Tobit, which the Hebrews, excising [it] from the catalogue of divine Scriptures, transfer to those that they term *agiografa*. I have satisfied your desire, but not with

⁷⁵ Cromatio et Heliodoro episcopis Hieronymus in Domino salutem.

Mirari non desino exactionis vestrae instantiam. Exigitis enim, ut librum chaldeo sermone conscriptum ad latinum stilum traham, librum utique Tobiae, quem Hebrei de catalogo divinarum Scripturarum secantes, his quae Agiografa memorant manciparunt. Feci satis desiderio vestro, non tamen meo studio. Arguunt enim nos Hebraeorum studia et inputant nobis, contra suum canonem latinis auribus ista transferre. Sed melius esse iudicans Pharisaeorum displicere iudicio et episcoporum iussionibus deservire, institi ut potui, et quia vicina est Chaldeorum lingua sermoni hebraico, utriusque linguae peritissimum loquacem repperiens, unius diei laborem arripui et quicquid ille mihi hebraicis verbis expressit, haec ego accito notario, sermonibus latinis exposui.

Orationibus vestris mercedem huius operis compensabo, cum gratum vobis didicero me quod iubere estis dignati complesse.

my own enthusiasm. For Hebrew studies accuse us and charge us with transferring them for Latin ears contrary to their own canon. But considering it better to displease the opinion of Pharisees and to be subject to the commands of bishops, I have done as well as I can, and because the language of the Chaldeans is close to Hebrew speech, finding a speaker expert in both languages, I set aside the labor of a single day and whatever he expressed to me in Hebrew words, these things I related in Latin speech to the scribe that I had summoned.

I will consider your prayers the wages for this work, when I will have learned that I have completed in a manner pleasing to you what you saw fit to command.

Preface to Judith⁷⁶

Among the Hebrews the book of Judith is read among the *agiografa*; the authority of which is considered less suitable for the confirmation of those things that come into contention. Nevertheless, having been written in Chaldean speech, it is reckoned among the histories. But because the Nicene Synod is read to have reckoned this book in the number of holy Scriptures, I have assented to your request, nay, demand, and having set aside occupations by which I was being violently squeezed, I have given to this one a single night, translating sense for sense rather than word for word. I have eradicated the terrible variety of the many codices; only that which I could find in Chaldean words with complete comprehension did I express in Latin words.

Take up the widow Judith, an example of chastity, and with perpetual proclamations acclaim her in triumphal praise. For he has given her as a model not only to women, but also to men, and he, the rewarder of her chastity, has provided such power that she overcame the one not overcome by anyone, and conquered the unconquerable.

⁷⁶ Apud Hebraeos liber Iudith inter Agiografa legitur; cuius auctoritas ad roboranda illa quae in contentione veniunt, minus idonea iudicatur. Chaldeo tamen sermone conscriptus inter historias computatur. Sed quia hunc librum sinodus nicena in numero Sanctorum Scripturarum legitur computasse, adquievi postulationi vestrae, immo exactioni, et sepositis occupationibus quibus vehementer artabar, huic unam lucubratiunculam dedi, magis sensum e sensu quam ex verbo verbum transferens. Multorum codicum varietatem vitiosissimam amputavi; sola ea quae intellegentia integra in verbis chaldeis invenire potui, latinis expressi.

Accipite Iudith viduam, castitatis exemplum, et triumphali laude perpetuis eam praeconiis declarate. Hanc enim non solum feminis, sed et viris imitabilem dedit, qui, castitatis eius remunerator, virtutem talem tribuit, ut invictum omnibus hominibus vinceret, insuperabilem superaret.

Nature, Revelation, and Grace in Psalm 19: Towards a Theological Reading of Scripture

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Does biblical criticism have anything to contribute to a theologically engaged study of Scripture? The answer implicitly provided by many scholars, both within the guild of modern biblical scholarship and outside it, is clear: The biblical critic's findings are irrelevant to constructive projects. These findings may be the product of intensive philological, comparative, and historical work, but they are no more connected to the tasks of the modern thinker than artifacts dug up by an archaeologist. Indeed (some theologically and literarily minded readers assume), biblical critics often produce work that impedes an interpreter who is oriented towards larger ideas. Those ideas, after all, emerge from textual wholes that are subtle, creative, and innovative, while biblical critics (these readers believe) have a penchant for dismembering texts or reducing them to hackneyed representatives of types of thinking or textual genres found elsewhere in the ancient Near East. As a result, not a few theologians and philosophers who attend to the Bible shun the work of biblical critics.¹

¹ A recent example is Yoram Hazony, *The Philosophy of Hebrew Scripture: An Introduction* (New York: Cambridge University Press, 2012). In spite of his goals of recovering (or constructing) biblical texts as philosophical works, Hazony devotes almost no attention to the work of modern biblical scholars who read the Bible as humanistically exciting and philosophically provocative. Much the same can be said of Eliezer Schweid, *The Philosophy of the Bible as Foundation of Jewish Culture* (trans. Leonard Levin; 2 vols.; Boston: Academic Studies Press, 2008), whose references to modern biblical scholarship are quite limited. Similarly, the very useful discussions of biblical texts in David Novak, *Natural Law in Judaism* (Cambridge, U.K.: Cambridge University Press, 1998) 31–61 make almost no reference to work by biblical critics on the relationship of biblical texts and natural theology—e.g., James Barr, *Biblical Faith and Natural Theology: The Gifford Lectures for 1991, Delivered in the University of Edinburgh* (Oxford: Oxford University Press,

If there are constructive thinkers who regard biblical criticism as dry, overly technical, and insufficiently engaged with ideas, they sometimes do so on the basis of real evidence. Such evidence, however, hardly proves that historical, comparative, and philological work is incapable of producing results that are relevant to the humanities writ large. In what follows, I present a reading of one biblical poem to illustrate the tasks, resources, and pitfalls of modern biblical criticism. I provide examples of tools we can use to enter the thought-world of a song from the first millennium B.C.E. and models for putting that song in conversation with later habits of thought. I hope thus to show how biblical criticism at its best produces work that is useful for theologians and philosophers. Further, I offer an illustration of how biblical criticism can engage in dialogue with fields that have often shunned it—and that it has sometimes shunned as well. In pursuit of these aims, this essay integrates material from secondary works not typically cited together in a single piece of research, and it encourages a type of synthesis that is, alas, less common than it might be.

The poem in question, Psalm 19, raises an issue that has long interested theologians and philosophers: to what extent does knowledge of the divine originate from human observation of the natural world, and to what extent must this knowledge depend on a gift from God? Psalm 19 is widely (though, I shall argue, erroneously) viewed as being split between a section that deals exclusively with nature and one that speaks exclusively of revelation. Studying the links between the two parts of this psalm allows us to retrieve the way one biblical text addresses the tensions between reason, creation, and the universal on the one hand and revelation, grace, and the particular on the other. Working together, these two stanzas provide a dynamic but consistent view of how humans in general and Israelites in particular come to understand God. The psalm's work of supplementation shows that in the allusive and concrete manner of ancient Near Eastern literature (rather than the abstract and propositional manner of most Western thought),² the psalm proposes a distinction that was to play a major role in medieval and modern theology: to wit, the distinction between knowing about God's attributes or characteristics, on the one hand, and knowing God and thus knowing God's will, on the other.

1993), and John J. Collins, "The Biblical Precedent for Natural Theology," *JAARSup* 45 B (1977) 35–67. Novak does refer a single time to John Barton, "Natural Law and Poetic Justice in the Old Testament," *JTS* 30 (1979) 1–14; this is one of four references Novak makes to modern biblical scholarship in the 106 footnotes found in his chapter on biblical texts.

² On the tendency of ancient Near Eastern thinkers (including biblical authors) to exemplify cases concretely and to intimate complexities through subtle variations, allusions, and puns, see Henri H. Frankfort and Henriette A. Frankfort, "Myth and Reality," in *The Intellectual Adventure of Ancient Man: An Essay on Speculative Thought in the Ancient Near East* (Chicago: University of Chicago Press, 1977) 3–27, at 6–15; Stephen A. Geller, *Sacred Enigmas: Literary Religion in the Hebrew Bible* (London: Routledge, 1996) *passim* and esp. 6; idem, "Some Sound and Word Plays in the

■ The Text and Its Structure

The poem reads:³

First Tablet of the Old Babylonian *Atramhasīs* Epic," in *The Frank Talmage Memorial Volume* (ed. Barry Walfish; 2 vols.; Haifa: Haifa University Press, 1992–1993) 1:63–70, at 65–66; and Geoffrey P. Miller, *The Ways of a King: Legal and Political Ideas in the Bible* (Journal of Ancient Judaism, Supplements 7; Göttingen: Vandenhoeck & Ruprecht, 2011) 16–20.

³ Translations throughout the article are my own unless otherwise noted; versification follows the Masoretic Text. In many translations, MT's v. 2 is part of v. 1, and each following verse number in those translations is one lower than the MT's verse number.

⁴ Or: "He. . ." Similarly, both occurrences of "its" later in this line could be read as "his."

⁵ Literally, "fine gold."

The opening nouns of the poem's two stanzas, verses 2–7 and 8–15, announce their subjects. The first stanza is concerned with the sky and God's handiwork: in short, with creation or nature. While the latter term is an anachronism (since there is no corresponding term in biblical Hebrew⁶), the confluence of terms and themes found in the first stanza fits "nature" well, especially if we keep in mind that the stanza speaks especially of the natural world above the earth; these verses are concerned with astronomy and physics, rather than biology, geology, or ecology. The first word of the second stanza introduces its topic: *תורה* (*torah*). This term has several meanings in biblical Hebrew: first of all "teaching" but also "law," as well as "custom, normal way of behaving."⁷ It often denotes a particular collection of teachings or laws—in other words, a book. (Some biblical authors use the term to refer to the book of Deuteronomy or an earlier version thereof,⁸ while others use it to refer to a book that combines Priestly and Deuteronomic laws—in other words, to the Pentateuch, whether in its current form or in an antecedent recension.⁹) The five synonyms that begin the subsequent lines of the second stanza specify which meanings of *torah* are intended. The first of these synonyms, *עדרות*, can refer in biblical Hebrew to a covenant or treaty, especially one in which a higher-ranking party imposes duties on a lower-ranking one.¹⁰ The presence of the term shows that "Yhwh's *torah*" in our psalm means first of all a teaching from or about Yhwh that establishes a relationship in which humans owe obedience to Yhwh.¹¹ Most of the remaining terms—orders, commands, judgments—put us firmly in the arena of law, of activities that God commands and humans carry out.

⁶ Stephen A. Geller writes: "If one limits the range of the term 'nature' to something like 'the way things work, the ordering of things by God in a manner that humans can understand by observation,' then the semantic range of 'nature' is covered, in a very general way, by the Hebrew term *derek*, 'way, manner of acting'" ("Wisdom, Nature and Piety in Some Biblical Psalms," in *Riches Hidden in Secret Places: Ancient Near Eastern Studies in Memory of Thorkild Jacobsen* [ed. Tzvi Abusch; Winona Lake, Ind.: Eisenbrauns, 2002] 101–21, at 101). It is this sense of "nature" that I intend throughout this essay.

⁷ On this term in the Hebrew Bible, see Michael Fishbane, "Torah," in *Encyclopaedia Biblica* (ed. Benjamin Mazar et al.; 9 vols.; Jerusalem: Bialik, 1955–1988) 8:469–83 [Hebrew]; Félix García-López, "Tôrâh," in *ThWAT*, 8:597–637; Gerhard Liedke and Claus Peterson, "Torah," in *TLOT*, 3:1415–22; James Kugel, "Torah," in *Contemporary Jewish Religious Thought: Original Essays on Critical Concepts, Movements, and Beliefs* (ed. Arthur A. Cohen and Paul Mendes-Flohr; New York: Scribner, 1987) 995–1005; and the pithy but very rich and still useful entry in *BDB*, 436.

⁸ For example, in 2 Kgs 22:8, and throughout the book of Deuteronomy itself.

⁹ For example, Ezra 3:2 and Neh 13:1–13.

¹⁰ The term is cognate to Akkadian *adû* (which occurs in Neo-Assyrian treaties) and old Aramaic *שְׁדִי*. For a helpful discussion of the term's nuances and its relationship to *ברית*, see Moshe Weinfeld, "The Covenant of Grant in the Old Testament and in the Ancient Near East," *JAOS* 90 (1970) 184–203, at 188–89, as well as Israel Knohl, *The Sanctuary of Silence: The Priestly Torah and the Holiness School* (trans. Jackie Feldman and Peretz Rodman; Minneapolis: Fortress, 1995) 142–43, and further references there.

¹¹ The term *עדרות* can also mean "witness," and this additional meaning may hint at the idea that *torah* provides evidence about Yhwh. The synonyms for *torah* in the following lines, however, do not pick up on this idea.

One term, however, stands apart from the other five: “Yhwh’s awe” at the beginning of verse 10. All the other terms are top-down; they involve a command, teaching, ruling, or judgment from God with which a human complies. “Awe before Yhwh” (or “the fear of Yhwh”), on the other hand, moves from humanity towards God,¹² and consequently commentators have puzzled over it. Michael Carasik explains the problem away elegantly: according to a famous saying found several times in the Bible, the fear of Yhwh is the beginning, or the very essence, of wisdom (Ps 110:10, Prov 1:7 and 9:10; see further Isa 33:6 and Prov 15:33). It follows that the term in verse 10 stands for “wisdom.”¹³ Thus *torah* in Ps 19:8 refers both to behavioral *torah* (it means “law”) and to that *torah* that embodies wisdom (it also means “teaching”). And this *torah* is first of all a matter of covenant, a meaning that fits both the legal and pedagogical senses of the term. The laws and teachings in question are specifically Yhwh’s, which is to say, if I may use later Western terminology, that they are revealed laws and teaching. The wisdom in question can simply be referred to as “revelation,” if by that term we understand a teaching that is intentionally given by God to a human being or a human community and that would not have been fully knowable or discoverable by human beings on their own.¹⁴ We may add that in this poem, revelation is an act that creates a covenant and entails legal obligation.

These two stanzas are further differentiated from each other by several elements of poetic structure. Each stanza consists of two-part poetic lines that create a consistent rhythm throughout the poem. A change in rhythm occurs at the end of each stanza, however, where we find two three-part poetic lines. (I refer to the two or three constituent parts of a poetic line as a *verset* in what follows.) While some biblical poems alternate freely between two- and three-part lines, in this poem the alternation serves a specific purpose: to mark the end of one thematic and textual unit. Further, the sense that verse 8 begins a new stanza is reinforced by an abrupt shift in rhythm: at verse 8, we begin a section of six poetic lines, each consisting of five words. The syntax of these lines is identical, creating parallels not only within each line but from one line to the next and setting off these verses starkly from what precedes them.¹⁵

¹² The construct state for the other five terms indicates the idea “from”: תֹּרְהַת יְהָוָה means “a teaching from Yhwh,” מִצְוַת יְהָוָה, “a commandment from Yhwh.” But in יְרָאַת יְהָוָה the construct state indicates “towards” or “for.” In grammatical terms: all the others are subjective constructs, while יְרָאַת is an objective construct. Both are perfectly normal in Hebrew, but the presence of one outlier among six cases calls for exegetical attention.

¹³ Michael Carasik, who further points out, “Since this is at base a wisdom poem, part of the drill is to make the reader figure some of these things out” (personal communication concerning Psalm 19).

¹⁴ For this definition of revelation, see Keith Ward, *Religion and Revelation: A Theology of Revelation in the World’s Religions* (Oxford: Clarendon, 1994) 16; see also 24 and 30.

¹⁵ Michael Fishbane suggests on thematic grounds that the poem has three parts: vv. 1–7 deal with creation; 8–11 with the Torah or revelation; and 12–15 with redemption (*Text and Texture: Close Readings in Selected Biblical Texts* [New York: Schocken, 1979] 84–90, 148). This three-part structure is satisfying to students of modern Jewish philosophy, especially of Hermann Cohen and

These stark differences have long been noted by modern scholars, many of whom have pronounced the two stanzas to be different and unrelated psalms altogether.¹⁶ One prominent scholar writes,

Ps. 19 is composed of two originally separate poems: (A) a morning hymn, praising the glory of 'El in the heavens (v.^{2–5b}), and glorious movements of the sun (v.^{5c–7}); (B) a didactic poem, describing the excellence of the Law (v.^{8–11}), with a petition for absolution, restraint from sin, and acceptance in worship (v.^{12–15}).¹⁷

This proposal is not inherently implausible; there are other cases in the book of Psalms in which a single chapter or psalm does not correspond to a single poetic composition. The clearest case involves Psalms 9 and 10, which together constitute a single poem that is an alphabetic acrostic. But on a literary level, this common suggestion about Psalm 19A and 19B as separate poems is altogether unlikely.

Franz Rosenzweig. But the border between the first and the second parts is sharp at both thematic and formal levels, while the movement from what Fishbane calls the second to the third is more fluid. The opening words of this third section, “Your servant, too, takes care with them,” connect directly to the lines that precede, since the antecedent of “them” in v. 12 is the teachings and laws of vv. 8–11. The third section’s theme, salvation, emerges only in v. 14 or the very last word of 13. The gradual emergence of the third part is also suggested by formal considerations. When we move from part one to part two, the parallelism changes drastically. In part one different lines contain various sorts of parallels, some phonological, some syntactic, some lexical. But as we enter part two, the parallelism is quite regular: the first verset of each line consists of a noun in the construct state, then God’s name, then an adjective, and the second verset repeatedly consists of a participle in the construct, and then the object of the participle. This structure begins to change a little in the fifth line in part two (v. 10aβ), where the participle is not in the construct, and the second word (**לעַל**) is not an object but an adverb. In 10b, the structure of the second verset dissolves a little further: the first word is a finite verb rather than a participle and the second an adverb (**צְדָקָן יְהֹוָה**). Verse 11a breaks out of the structure that started at v. 8 altogether. The movement from one sort of parallelism to the other occurs over several lines and does not allow us to demarcate clearly a second and third stanza. Finally, the structuring use of the three-verset lines occurs only at the end of the first stanza and at the very end of the poem. Formal and thematic considerations, then, lead to the conclusion that this is a poem with two stanzas. One can plausibly argue, following Fishbane’s insight, that the second stanza contains two overlapping subsections, the second of which begins to focus more on the consequences of *torah* as opposed to *torah* itself. It is the stark difference between the first stanza and the second that concerns us here.

¹⁶ See, e.g., Hermann Gunkel, “Psalm 19:1–6: An Interpretation,” *The Biblical World* 21 (1903) 281–83; Julius Morgenstern, “Psalms 8 and 19A,” *HUCA* 19 (1945–1946) 491–523; and Hans-Joachim Kraus, *Psalms 1–59: A Continental Commentary* (trans. Hilton Oswald; CC; Minneapolis: Fortress, 1993) 268–69. On the early history of the idea in 19th- and early 20th-cent. scholarship, see Lorentz Dürr, “Zur Frage nach der Einheit von Psalm 19,” in *Sellin-Festschrift. Beiträge zur Religionsgeschichte und Archäologie Palästinas. Ernst Sellin zum 60. Geburtstage dargebracht* (ed. Anton Jirku; Leipzig: Deichert, 1927) 1–48, at 37–38. A variant on the idea that 19A and 19B are separate poems is the suggestion that 19A was an independent poem (or a fragment of some earlier poem) and that 19B was composed as a supplement to 19A; see Sigmund Mowinckel, *The Psalms in Israel’s Worship* (trans. D. R. Ap-Thomas; 2 vols.; Oxford: Basil Blackwell, 1962) 2:267, and references to older work along these lines in Dürr, “Psalm 19,” 38.

¹⁷ Charles Augustus Briggs, *A Critical and Exegetical Commentary on the Book of Psalms* (2 vols.; ICC; New York: Scribner, 1906–1907) 1:162.

We shall see that the psalm is a single, highly integrated poem; its two stanzas are intimately related on the levels of theme, imagery, and intratextual allusion. Indeed, the crucial point the poem makes involves the relationship between the two stanzas.

■ Yhwh and the Sun

Before we turn to analyzing the relationship between the stanzas, however, it will be useful to leave the psalm for a few moments to discuss an aspect of ancient Israelite religion not well-known among nonspecialists: the worship of Yhwh, the God of Israel, as the sun. Several types of evidence convince biblical scholars that many Israelites equated Yhwh with the sun or viewed Yhwh as a solar deity. An example of such evidence is found in a Judean seal that was owned by one Ashna, an eighth-century B.C.E. courtier of King Ahaz (see illustration 1).¹⁸ The image on the seal recalls the scene depicted in the opening verses of Isaiah 6, in which the prophet reports that he saw Yhwh sitting enthroned as king, attended to by winged heavenly beings called *שְׁרָפִים* or seraphs, a Hebrew term that refers to a type of snake—in Isaiah’s case, a flying, winged heavenly snake. In the seal in illustration 1, two seraphs (without wings, though note the winged seraphs in illustrations 2 and 3) surround a circle that wears a crown. Various scholars have recognized this circle as a symbolic representation of the Israelite God, Yhwh, as the sun disk. In both Isaiah’s vision and Ashna’s seal, Yhwh is represented as king; he sits enthroned in Isaiah’s vision and wears a crown in Ashna’s seal. In both he is surrounded by seraphs who attend him.¹⁹ The seal in illustration 2 depicts a winged seraph in the presence of a circle seated on some sort of pedestal; again, the circle is likely to be a symbolic representation of Yhwh. Similarly, J. C. Taylor has argued that Yhwh is portrayed symbolically as the sun, seated on a horse, on the uppermost tier of an Israelite cult stand found in Ta’anakh and dated to the tenth century B.C.E. (see illustration 4).²⁰

¹⁸ From Othmar Keel and Christoph Uehlinger, *Gods, Goddesses, and Images of God in Ancient Israel* (trans. Thomas H. Trapp; Minneapolis: Fortress, 1998) 275. These seals were discovered in the first half of the twentieth century. My illustration 1 (which Keel and Uehlinger number as 273) was first published in Kurt Galliing, “Beschriftete Bildsiegel des ersten Jahrtausends v. Chr. vornehmlich aus Syrien und Palästina. Ein Beitrag zur Geschichte der phönizischen Kunst,” *ZDPV* 64 (1941) 121–202, at 121. Illustration 2 (Keel and Uehlinger’s 274a) was first published in Olga Tufnell et al., *Lachish III (Tell ed-Duweir): The Iron Age* (2 vols.; London: Oxford University Press, 1953) plate 44A.

¹⁹ In light of the similarity between the two scenes, it is worth noting that Jerusalem in the 8th cent. B.C.E. was a very small town, that both Isaiah and Ashna lived during the reign of Ahaz, and that Isaiah enjoyed close connections to the royal court in which Ashna served (see Isaiah 7–9). Consequently, it is inconceivable that Isaiah and Ashna did not know each other.

²⁰ John Glen Taylor, *Yahweh and the Sun: Biblical and Archaeological Evidence for Sun Worship in Ancient Israel* (JSOTSup 111; Sheffield, U.K.: Sheffield Academic Press, 1993) 28–37. For descriptions of the stand and its four registers, see especially Keel and Uehlinger, *Gods*, 157–60; William G. Dever, *Did God Have a Wife? Archaeology and Folk Religion in Ancient Israel* (Grand Rapids, Mich.: Eerdmans, 2005) 151–54, 219–21. The stand was discovered in 1968 in excavations directed by Paul Lapp; see Paul Lapp, “The 1968 Excavations at Tell Ta‘aneck,” *BASOR* 195 (1968) 2–49, at 42–44. The illustration here is taken from Benjamin D. Sommer, *The Bodies of*

On that tier, Yhwh is surrounded, as he is so often in biblical literature, by כְּרוּבִים or cherubs.²¹ These examples are representative of ancient Israelite representations of Yhwh; Othmar Keel and Christoph Uehlinger have demonstrated that the portrayal of Yhwh as the sun is well attested in Israelite iconography.²²



Illustration 1
The seal of Ashna

Keel and Uehlinger, #273.
Image originally published in
ZDPV 64 (1941) 121.
Image used with permission of
the Deutsche Verein
zur Erforschung Palästinas.



Illustration 2
The seal of Shefatyahu
Keel and Uehlinger, #274a.
Image used with
permission of Fortress Press.

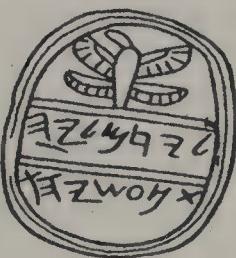


Illustration 3
The seal of Yahmalyahu
Keel and Uehlinger, #274b.
Image used with
permission of Fortress Press.

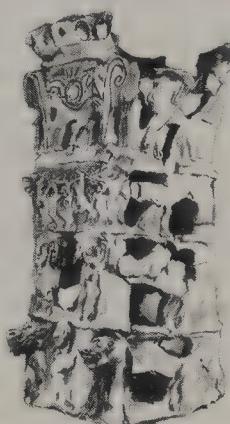


Illustration 4
The Ta'anakh cult stand
Rendering by the artist Ellen Holtzblatt.
Image used with permission of the artist.

God and the World of Ancient Israel (New York: Cambridge University Press, 2008) 157; image used with permission of the artist, Ellen Holtzblatt. The Ta'anakh cult stand also appears in Keel and Uehlinger, *Gods*, 159, #184.

²¹ Yhwh is also represented by an empty space on the second tier from the bottom; thus this cult stand provides extremely early evidence of Israelite aniconism, the tendency not to sculpt or represent Yhwh's body in any literal fashion, in consonance with Exod 20:4. Note, however, that the cult stand also provides clear evidence of Israelite polytheism, in contrast to Exod 20:3: the first and third tiers clearly portray the goddess Asherah.

²² Keel and Uehlinger, *Gods*, 248–81, 341–54.

With these archaeological artifacts in view, several biblical passages appear in a new light. Two passages, 2 Kgs 23:11 and Ezek 6:1–7/8:16, depict sun worship in the Jerusalem temple. The authors of Kings and the prophet Ezekiel regard this worship with horror, but the worshippers they condemn probably did not see themselves as worshipping a foreign deity. Rather, they may have intended to bow down to Yhwh as a sun-god, or in his manifestation or *avatāra* in the sun.²³ 1 Kgs 23:11 further attests to a connection between the sun and horses in Yhwh's temple, since it speaks of King Josiah destroying both "the horses that the kings of Judah dedicated to the sun at the entrance to Yhwh's temple . . . and chariots of the sun." This connection, also known among other sun deities in the ancient Mediterranean world such as Helios, explains why the sun disk in the Ta'anakh stand sits astride a horse. The association of Yhwh with the sun is known from Ps 84:10–12. The identification of Yhwh as a solar deity by many ancient Israelites has been argued persuasively by several biblical critics, including not only Taylor but also Mark Smith and Bernd Janowski.²⁴

The observation that many ancient Israelites equated Yhwh and the sun provides crucial background for understanding the relationship between the first and the second part of Psalm 19. The first stanza of the psalm uses language also found in prayers to sun deities in ancient Egyptian, Mesopotamian, and Hittite literature.²⁵ For example, the reference to the sun as resembling a hero "who runs the course" recalls a motif found in Egyptian, Hittite, and Mesopotamian literature; Mesopotamian examples refer to the course as *arhu/urhu*, the Akkadian term cognate to the

²³ On the usefulness of the Sanskrit concept of *avatāra* for understanding Israelite conceptions of Yhwh, see Sommer, *Bodies of God*, 15, 40–41, and 78.

²⁴ On the association of Yhwh with the sun, see Mark S. Smith, "The Near Eastern Background of Solar Language for Yahweh," *JBL* 109 (1990) 29–39; Mark S. Smith, *The Early History of God: Yahweh and Other Deities in Ancient Israel* (New York: Harper & Row, 1990) 115–24; Bernd Janowski, "JHWH und der Sonnengott. Aspekte der Solarisierung JHWHS in vorexilischer Zeit," in *Die rettende Gerechtigkeit* (vol. 2 of *Beiträge zur Theologie des Alten Testaments*; Neukirchen: Neukirchener Verlag, 1999) 192–219 (with an extensive review of secondary literature on 192–99); and the evaluation of artifactual and textual evidence in Taylor, *Yahweh*, 24–91 and 92–256 respectively. On the possibility that some Phoenicians may have worshipped Yhwh as a solar deity, see Joseph Azize, *The Phoenician Solar Theology: An Investigation into the Phoenician Opinion of the Sun Found in Julian's Hymn to King Helios* (Gorgias Dissertations 15, Near East Series 6; Piscataway, N.J.: Gorgias, 2005) 244–45, 252–57. See also Martin Arneth, "Sonne der Gerechtigkeit." *Studien zur Solarisierung der Jahwe-Religion im Lichte von Psalm 72* (Beihefte zur Zeitschrift für altorientalische und biblische Rechtsgeschichte 1; Wiesbaden: Harrassowitz, 2000) 1–17 and 109–31. Arneth provides a useful review of the evidence, though I think he puts far too much emphasis on the influence of Neo-Assyrian royal texts on the emergence of the solarization of Israelite religion.

²⁵ See Nahum M. Sarna, "Psalm XIX and the Near Eastern Sun-God Literature," in *Fourth World Congress of Jewish Studies: Papers* (2 vols.; Jerusalem: World Union of Jewish Studies, 1967–1968) 1:171–75. While about half of Sarna's parallels are too broad to be significant—they could have been used to adduce connections with many deities in addition to the sun-god—the remaining parallels are impressive and allow us to conclude that the psalm deliberately uses motifs drawn from ancient Near Eastern sun worship.

psalm's term אָרֶחֶת חַמְתָּה.²⁶ The term חַמְתָּה in verse 7 can mean not only what I translated above, "its heat" (that is, the heat of the sun), but also "his sun" (that is, the sun that Yhwh created); this term, too, underscores the focus on the sun in the first half of the poem.²⁷ The phrasing in that line ("nothing hidden from its heat / his sun") recalls the all-knowing aspect of the sun deity, whose omniscience is a particular concern of ancient literature, presumably because the sun's location high in the sky allows the sun deity to see everything on earth—and because at night it sees what is underneath, as well.

These references to the sun in the creation stanza are hardly surprising. Nahum Sarna has pointed out something much more intriguing: language associated with the sun is even more frequent in the Torah stanza.²⁸ In the first line there we are told that Torah "renews life," a phrase that recalls a frequent epithet of ancient sun deities; in a world without alarm clocks, it was the sun that awakened people each morning, drawing them back from the little death that is sleep. Similarly, the "bright" nature of Yhwh's commandment in verse 9 (*ברָהָה*) reflects an understandably widespread motif applied to the sun; this adjective is applied to the sun in both Israelite and Ugaritic literature.²⁹ One need not be a scholar of ancient Near Eastern cultures to see that the description of the commandments as "bringing light to one's eyes" in verse 9 can allude to the sun,³⁰ as does the comparison of *torah* to gold and honey in verse 11. In fact, every single line in the paean to *torah* contains language reminiscent of the sun or sun-gods. And just as the first section contains a pun related to the sun (*חַמְתָּה*=the sun's heat, or Yhwh's sun), so too in the second section the poet relates, in verse 12: נִמְעַבְדֵּךְ נוֹהֵר בְּהָם—that is, the poet takes warning from the commandments or is careful about observing the obligations required by *torah* documents (several of which spell out the dire consequences of covenant infraction); but he also is "enlightened" or "bedazzled" by them. (Both senses of the root זָהָר are known in biblical Hebrew.³¹)

²⁶ Sarna, "Psalm XIX," 1:172: *rēdū arḥāt šamē u erṣeti*, "the one who travels the courses of heaven and earth."

²⁷ See Taylor, *Yahweh*, 224.

²⁸ Sarna, "Psalm XIX," 1:173–75.

²⁹ See Song 6:10 (*כָּמוֹשָׁחֵר יִפְאֵה כָּלְבָנָה בָּרָה כְּחַמְתָּה*) and a Ugaritic manumission letter in PRU 2:1005.2–3=UT 1005.2–3 (*km špš dbrt*). The connection of *ברָהָה* in v. 9 to the solar motif in v. 5 is noted in ibn Ezra's commentary to v. 9; so also Mitchell Dahood, *Psalms: Introduction, Translation, and Notes* (3 vols.; AB; Garden City, N.Y.: Doubleday, 1966–1970) ad loc.

³⁰ The importance of this phrase in linking the first and second parts of the poem is noted by Rashi in his comment to v. 8.

³¹ The sense of "brightness" is rare, occurring again only in three late texts: Ezek 8:2, Dan 12:3, and Sir 43:9 in the B ms from the Cairo Genizah. The praise of the Torah found in our second stanza is typical of postexilic literature, and this lends credence to the suggestion that the psalm is late; see, e.g., Kraus, *Psalms 1–59*, 269 (and, on this theme more generally, Alexander Rofé, "The Move towards the Study of Torah at the End of the Biblical Period: Joshua 1:8; Psalm 1:2; Isaiah 59:21," in *The Bible in Light of Its Interpreters: Memorial Volume for Sarah Kamin* [ed. Sara Japhet;

These parallels between the first and second parts of the psalm suggest important conclusions regarding several issues: first, the psalm's attitude towards sun worship; second, the unity of the psalm; and third, the main thematic thrust of the psalm.

■ An Anti-Pagan Polemic?

The presence throughout the psalm of language recalling prayers to the sun from throughout the ancient Near East directs our attention to the psalm's attitude towards sun worship. Sarna argues that the psalm "is an anti-pagan polemic, specifically, an anti-sun-god polemic, that has made use of the standard terminology of the Near Eastern sun-god literature to combat the Sun cult ideologically and to glorify God and his Torah."³² Mark Smith, however, cogently rejects the idea that the psalm is a polemic against the worship of the sun: "Psalm 19 has no overtones of polemic against solar worship. On the contrary, the sun and the torah serve analogous functions of witnessing to the God of the sun and the torah. Even if a polemic lay behind Psalm 19, as Sarna argues, it well may be that the solar practice was indigenous."³³

Smith is correct to point out that the psalm does not engage in a rhetoric of polemic. It does not attack any beliefs or practices explicitly, in contrast to the specific references and the highly argumentative tone in texts that assail Israelite polytheism in Isaiah 40–48, Jeremiah, or Hosea, for example.³⁴ Unlike, say, Genesis 1 or Gen 6:1–4, the psalm does not subvert language traditionally used by a pagan opponent, thus undermining that language and implicitly attacking the ideas it usually supports.³⁵ Nonetheless, the parallels that Sarna adduces are numerous and consistent; they must have a purpose. By applying phrasing associated with solar deities first to the sun and then, with even greater frequency, to *torah*, the psalm

Jerusalem: Magnes, 1994] 622–28 [Hebrew]). For the sense of light associated with the root יְהֹוָה and also with שָׁמֶן (which appears in v. 10 of our psalm), see J. H. Eaton, "Some Questions of Philology and Exegesis in the Psalms," *JTS* 19 (1968) 603–9.

³² Sarna, "Psalm XIX," 1:175. See further Nahum Sarna, "Šemeš," in *Encyclopaedia Biblica* (ed. Benjamin Mazar et al.; 9 vols.; Jerusalem: Bialik, 1955–1988) 8:182–89, at 189 [Hebrew].

³³ Mark S. Smith, "'Seeing God' in the Psalms: The Background to the Beatific Vision in the Hebrew Bible," *CBQ* 50 (1988) 171–83; at 178 n. 28. Similarly, Taylor argues that the psalm, far from being an anti-solar polemic, stresses continuity between Yhwh and the sun (*Yahweh*, 222). His reading fits the poem at least as well as Sarna's.

³⁴ On the nature of open polemic against Babylonian religion in Second Isaiah, see especially Mark S. Smith, *The Origins of Biblical Monotheism: Israel's Polytheistic Background and the Ugaritic Texts* (New York: Oxford University Press, 2001) 179–94.

³⁵ On the polemical nature of Genesis 1, which echoes and thereby defangs terminology associated with polytheistic creation accounts in Mesopotamia and Canaan, see, e.g., Brevard S. Childs, *Myth and Reality in the Old Testament* (2nd ed.; SBT 27; London: SCM Press, 1962) 31–43; Fishbane, *Text and Texture*, 13–15; Jon Levenson, *Creation and the Persistence of Evil: The Jewish Drama of Divine Omnipotence* (San Francisco: Harper & Row, 1988) 55–121; and Smith, *Origins*, 38–39, 167–71. On Genesis 6:1–4, see Childs, *Myth and Reality*, 50–59, as well as Umberto (Moshe David) Cassuto, "The Episode of the Sons of God and the Daughters of Man (Genesis vi 1–4)," in idem, *Biblical and Oriental Studies* (trans. Israel Abraham; 2 vols.; Jerusalem: Magnes, 1973–1975)

does not combat Israelites who were worshipping the wrong deity—Shamash rather than Yhwh, or Shamash alongside Yhwh. Instead, Psalm 19 argues against the identification of Yhwh with the sun, an identification that was quite widespread in ancient Israel, to judge from archaeological evidence and from biblical texts that the archaeological record suggests we should read in new ways (or rather, very old ways recovered anew). The psalm presents its correction of popular notions of Yhwh's nature by stressing that both sun and *torah* are Yhwh's creations, which attest to Yhwh's greatness. In the parallel projects of enlightenment that the sun and Yhwh's *torah* perform, both reflect a greater source of light, and it is that source who deserves the ultimate loyalty.³⁶ This subtle polemic is already hinted at in the poem's opening line, which refers to God's *כָּבֵד* (*kabod*: "Yhwh's splendor" or "Yhwh's glory"). Biblical texts often use this word as a technical term referring to the fiery or intensely bright body of God.³⁷ Priestly texts even assert the identity of Yhwh and the *kabod*.³⁸ In light of this identification of God and a blinding or lethal brightness comparable to fire,³⁹ one can understand that Israelites may have noted a similarity between the *kabod* and the sun; some may have proceeded to equate the *kabod*—which is to say, Yhwh—and the sun. Our poet plays with this notion by explicitly introducing the motif of the *kabod* and subsequently describing the sun as a different thing. The poet informs us that the sky tells of God's *kabod*, not that the sky contains it. Each morning the sky allows us to see a created thing that intimates the nature of the true *kabod* not visible to us.⁴⁰

The psalm does not direct a complaint against Israelite polytheists. Rather, it attends to a subtler problem: Israelites who pray to the right God the wrong way. The worship of such Israelites unintentionally belittles Yhwh. To regard Yhwh

1:17–28. For an intra-Israelite polemic that adopts its opponent's language in order to deflate it, see Moshe Weinfeld, "God the Creator in Gen. 1 and the Prophecy of Second Isaiah," *Tarbiz* 37 (1968) 105–32 [Hebrew].

³⁶ On this theme of reflected light, see ibn Ezra's commentary to v. 9.

³⁷ The literature is extensive. Of particular importance are Julius Morgenstern, "Biblical Theophanies," *ZA* 25 (1911) 139–93; Moshe Weinfeld, "Kābōd, כָּבֵד," in *TDOT*, 7:22–38; and Trygve N. D. Mettinger, *The Dethronement of Sabaoth: Studies in the Shem and Kabod Theologies* (CONBOT 18; Lund: Almqvist and Wiksell, 1982) 81–123. For a brief overview, see J. E. Fossum, "Glory," in *DDD*, 348–52.

³⁸ On the identity of Yhwh and the *kabod* in some biblical texts, see Mettinger, *Dethronement*, 107; Rimon Kasher, "Anthropomorphism, Holiness, and Cult: A New Look at Ezekiel 40–48," *Beth Miqra* 40 (1995) 359–75, at 359–61 [Hebrew]; and Sommer, *Bodies of God*, 68–76 and 227 n. 83.

³⁹ For comparison of the *kabod* with fire, see, e.g., Exod 24:17 and Num 9:15. Jacob Milgrom points out that with the use of the word "like" in these verses, P makes clear that the *kabod* is not made of fire; rather, fire is the closest word P can think of to describe the unique, otherworldly substance of which the *kabod* consists (*Leviticus 1–16: A New Translation with Introduction and Commentary* [AB; New York: Doubleday, 1991] 575).

⁴⁰ A similar teaching is attributed to Rabbi Avin from *Gen. Rab.* 17.5 and its parallels in rabbinic and kabbalistic literature (for which see *Midrash Bereshit Rabba* [ed. Jehudah Theodor and Chanoch Albeck; 3 vols.; Jerusalem: Wahrmann, 1965] 1:157 n. 1 [Hebrew]): "The lesser version of the supernal light is the sun. The lesser version of the supernal wisdom is Torah."

as Hebrew Helios is to fail to understand who and what Yhwh really is. It is not apostasy but monotheism gone awry that the psalm criticizes—and for this reason the psalm is more interesting for modern Jews and Christians than the anti-pagan polemics found elsewhere in Scripture. After all, the sin of many modern Jews and Christians is hardly that they believe in too *many* gods. But the danger of taking a gift from God and turning it into a sort of idol that ultimately obscures the Giver and the Giver's teachings endures in contemporary Judaism and Christianity. If the psalm polemizes not against polytheism (worshipping foreign gods like Shamash) but against improperly equating Yhwh and the sun, then it warns that the mere intention to address the one God is not enough; there are wrong ways to worship the right God.⁴¹

■ The Psalm's Unity

As Sarna points out, the presence of solar motifs throughout the psalm shows it to be a single, well-integrated composition.⁴² It is no coincidence that both parts of the psalm draw from the same field of motifs and language; and it is significant that the sun language is more prevalent in the stanza that does not describe nature. The poet uses these motifs especially where they are more arresting and thought-provoking.⁴³ Further, the confluence of themes presented by the poem's two stanzas is a typical one for ancient Near Eastern literature. Otto Schroeder pointed out a century ago that attention to sun-god literature from ancient Mesopotamia belies the notion that the respective themes of the two stanzas indicate that they are separate literary works, and Lorentz Dürr took this argument for the psalm's unity even further.⁴⁴ As Dürr pointed out,

For the ancient Orient, sun and justice, law and lawgiving are directly bound together. . . . The main activity of the sun-god in the ancient Orient is a judicial one, and . . . thus in verses 8ff. [that is, in the *torah* stanza of Psalm 19] we are entirely in the sphere of the sun-god. . . . Sun or sun-god and justice belong together. . . . It is always the case [in ancient Near Eastern hymns to the sun-god] that first of all his exit from the mountains is praised, and then

⁴¹ For the possibility that incorrect intention can convert Jewish prayer into idolatry, see Moshe Halbertal and Avishai Margalit, *Idolatry* (trans. Naomi Goldblum; Cambridge: Harvard University Press, 1992) 186–201. It is against this internal, monotheistic idolatry (or at least idolatry rooted in genuine monotheism) that Psalm 19 provides a warning. The contrast between this approach and the attitude of the “sovereign self” among modern Jews is striking. I borrow the term “sovereign self” from Steven Martin Cohen and Arnold Eisen, *The Jew Within: Self, Family, and Community in America* (Bloomington: Indiana University Press, 2000) 2 and *passim*.

⁴² Sarna, “Psalm XIX,” 1:171.

⁴³ An additional verbal connection between the two stanzas is the word נָסַע in vv. 7 and 13; our sins may be hidden from others, and even from ourselves, but never from God. This parallel is noted by Otto Schroeder, “Zu Psalm 19,” ZAW 34 (1914) 69–70, at 70, as well as by Fishbane, *Text and Texture*, 88; Jon Levenson, “The Theologies of Commandment in Biblical Israel,” HTR 73 (1980) 17–33, at 29; and Taylor, *Yahweh*, 225.

⁴⁴ Schroeder, “Psalm 19”; Dürr, “Psalm 19.”

there follows the transition to “Judge of heaven and earth,” before whom “justice stands on the right and truth on the left,” or “before whom justice and judgement sit enthroned.”⁴⁵

These themes—light and justice, or sun and law—often appear together in both Mesopotamian and Israelite literature.⁴⁶ Dürr points out that in the prologue to Hammurapi’s laws, lawgiving and enlightening the land are mentioned in the same lines, and that Hammurapi compares his own legislative and judicial work as king to the rising of the sun-god, Shamash (Code of Hammurapi i:32–44; and see also in the epilogue xlvii:79–xlviii:2).⁴⁷ Dürr further notes the connection of light/sunrise with law/justice in many biblical verses: for example, Hos 6:5, Zeph 3:5, Mic 7:9, Ps 37:6, Isa 51:4, 58:8, 62:1, Mal 3:20, and Prov 4:18 (whose vocabulary is especially reminiscent of our psalm) and 6:23.⁴⁸ Several of these include the root אָשָׁעַ (“coming out, going forth,” vv. 5, 6, and 7), just as many of the Akkadian texts that associate justice and light/sun contain the cognate verb *asū*.⁴⁹ The same confluence of themes we find in Psalm 19 is evident in the great Hymn to Shamash⁵⁰ and in Ashurbanipal’s Prayer to Shamash.⁵¹ If, say, Prov 4:18 or Code of Hammurapi i:32–44 are by single authors, then there is no reason to doubt that Psalm 19 is by a single author as well.

Further, Michael Carasik takes Sarna’s argument for the unity of the poem a step further by pointing out: “There are not merely ‘sun’ words in the second part, but also ‘word’ words in the first part.”⁵² He refers to terms in the first stanza such as מִשְׁפָּרִים (recount), מִגְּדָּר (proclaims), יְבִיעָ אָמֵר (utters a word), יְחֹזֶה דְּבָתָה (conveys knowledge), דְּבָרִים (words), and מַלְּחָם (their words). We have seen that the *torah* stanza (we might even say: the “text” stanza, since *torah* in ancient Israel, in the senses of both law or of teaching, was found in texts, whether oral or written) is replete with nature terminology; so too, the “nature” stanza is full of terminology

⁴⁵ Dürr, “Psalm 19,” 41–42. See further Schroeder, “Psalm 19,” 70.

⁴⁶ These themes continue to appear together in Hebrew poetry of the rabbinic era—for example, in the *piyyut* recited in rabbinic liturgy for Saturday morning (אָל אַ-דְּוֹן עַל כָּל הַמְּעֻשִׂים).

⁴⁷ Dürr, “Psalm 19,” 44–45.

⁴⁸ This final parallel from Proverbs is adduced by Rashi on our psalm.

⁴⁹ Dürr, “Psalm 19,” 45–47.

⁵⁰ For the Akkadian text with translation and notes, see Wilfred G. Lambert, *Babylonian Wisdom Literature* (Oxford: Clarendon, 1960) 121–38, 318–23, and 346. A translation with extensive discussion appears in Erica Reiner, *Your Thwarts in Pieces, Your Mooring Rope Cut: Poetry from Babylonia and Assyria* (Michigan Studies in the Humanities 5; Ann Arbor: Rackham School of Graduate Studies at the University of Michigan, 1985) 68–84. A readable translation with brief but helpful discussion appears in Benjamin R. Foster, *Before the Muses: An Anthology of Akkadian Literature* (2 vols.; Bethesda, Md.: CDL Press, 1993) 2:536–44.

⁵¹ Translation by Ferris Stephens in *ANET*, 187–88.

⁵² Carasik, personal communication.

taken from the world of the text.⁵³ This mirror imaging connects parts one and two of the poem and reveals them to be in dialogue with each other. This dialogue, I submit, is the very heart of the poem. The crucial question, then, is not whether but how the two sections relate to each other.⁵⁴ What comment does the nature stanza make about *torah*, and the *torah* stanza about nature?

■ Nature and Revelation

Having established that the psalm is a unity with two distinct sections, we must explore how the stanzas relate to each other. Doing so leads us to the main concern of the psalm: the connection between nature and *torah* as disparate expressions of God's glory. One can come to know God through observing the world God created, and one can come to know God by observing God's laws, but these two different senses of "observing"—watching and obeying—lead to two kinds of relationship. Phrased in terms of knowledge, the issue the psalm raises involves the distinction between two types of disclosure of the divine: one that takes place constantly and impersonally in nature, and another that takes place when God as person conveys teachings or demands to a human being or a human community. Phrased in terms of relationship, the psalm's question is whether and to what extent a connection between God and a human being or a human community must involve covenant and law, and to what extent and in what ways such a relationship can exist without the institutions listed in the second stanza.

These questions have attracted interest not only from biblical scholars but from theologians, among them Karl Barth. A core question for Barth's massive theological project in his fourteen-volume *Church Dogmatics* is whether there is "a knowability of God independent of His revelation" and whether this knowability is affirmed by the Bible itself.⁵⁵ In addressing this question, Barth finds the Psalms—and in particular Psalms 8, 19, and 104—especially relevant. (Romans, in particular 1:18–25, also plays a crucial role for Barth; he often looks at Psalm 19 through his own, somewhat idiosyncratic, reading of Romans 1.) Barth points out that with the exception of Psalms 8 and 104, whenever a psalm talks of God as manifested

⁵³ As a result, as Jonathan Grossman of Bar-Ilan University points out to me, the psalm presents the roots of revelation as already present in creation. This notion of revelation as distinct from but rooted in creation would play a major role in the work of Franz Rosenzweig. On the embedded nature of each concept in the other, see Franz Rosenzweig, *The Star of Redemption* (trans. William W. Hallo; Boston: Beacon, 1972) 131–40, as well as Stéphane Mosès, *System and Revelation: The Philosophy of Franz Rosenzweig* (trans. Catherine Tihanyi; Detroit: Wayne State University Press, 1992) 86–89, and Yehoyada Amir, *Reason out of Faith: The Philosophy of Franz Rosenzweig* (Tel Aviv: Am Oved, 2004) 144–45 and 145 n. 2 [Hebrew].

⁵⁴ See further Alan Cooper, "Creation, Philosophy and Spirituality: Aspects of Jewish Interpretation of Psalm 19," in *Pursuing the Text: Studies in Honor of Ben Zion Wacholder on the Occasion of His Seventieth Birthday* (ed. John Reeves and John Kampen; JSOTSup 184; Sheffield, U.K.: Sheffield Academic Press, 1994) 15–33, at 22.

⁵⁵ Karl Barth, *Church Dogmatics* (trans. G. T. Thomson et al.; 14 vols.; Edinburgh: T&T Clark, 1936–1977) 2.1:99 [henceforth CD].

through or glorified by nature, the psalm also speaks of the God of Israel (or at least the psalmist uses terms like “justice” or other terminology that implies the notions of law, covenant, or revelation).⁵⁶ “The witness of man in the cosmos,” he avers, “does not come about independently, but in utter co-ordination with and subordination to the witness of the speaking and acting of God in the people and among the men of the people of Israel.”⁵⁷

Barth defends this line of reasoning with reference to Psalm 19:

In itself and as such the text of the cosmos is, indeed, mute, as it says expressly in Ps. 19.3 [MT 4]: ‘Without speech, without words and with inaudible voice’ one day speaks to another and one night declares to another. . . . It is because and as God speaks and acts in Israel that man in the cosmos . . . can now know and remember that whatever he . . . knows as the wisdom and power and goodness and righteousness of God is simply an exact reflection of the wisdom and power and goodness and righteousness which he has known before in God’s speaking and acting in Israel. . . . We do not see the features of any other god than the God of Sinai and Zion declared in the main line.⁵⁸

Here, however, Barth overstates the evidence from the psalm. “It is because . . . God speaks . . . in Israel that man . . . can *now* know and remember that . . . which he has known *before* in God’s speaking and acting in Israel,” Barth maintains, but “now” and “before” are not evident in the psalm. On the contrary, the psalm discusses knowledge that comes from the Torah *after* it discusses knowledge from nature.

For Barth, nature does not, on its own, teach anything; nature is mute. This interpretation (which is also found in the commentary of the biblical scholar Hans-Joachim Kraus⁵⁹) depends on a particular reading of verse 4, one of the verses in the nature stanza that emphasizes what Carasik calls “‘word’ words”: אַיִן־אָמֵר בְּלִי נִשְׁמַע קֹלֶם. There are two ways of translating this verse:

- (a) There is no speech, and there are no words; their voice is not heard.
- (b) There is no speech, and there are no words, whose voice cannot be heard.

These two translations result from two understandings of the term בְּלִי and the syntax of the verse; suffice it to say that both are linguistically legitimate understandings.⁶⁰ This is the case even though they present opposite ideas: according to (a), the

⁵⁶ Ibid., 2.1:107.

⁵⁷ Ibid., 2.1:108.

⁵⁸ Ibid., 2.1:112.

⁵⁹ Kraus, *Psalms 1–59*, 271 and 275–76.

⁶⁰ The word בְּלִי allows two understandings: 1) בְּלִי can serve as an adverb that negates a finite verb (see HALOT, s.v. בְּלִי def. 2), and it can substitute for the negative particles אֲלֹא and אֵין in poetry (see BDB, 115, and HALOT, s.v. בְּלִי def. 6). In our verse, בְּלִי modifies the participle נִשְׁמַע; since it is a poetic verse, we can understand בְּלִי to substitute for אֵין, which normally negates participles. This reading of בְּלִי as simply negating נִשְׁמַע leads to translation (a) above. In that case בְּלִי simply echoes אֵין, and the versets are semantically parallel. 2) בְּלִי can also serve as a preposition meaning “without,” followed by a noun or a participle. If בְּלִי means “without” before the participle נִשְׁמַע here,

heavenly bodies make no sounds, while according to (b) the heavenly bodies make no sounds that are not heard—i.e., they do make sounds, and people perceive them. Barth understands the verse according to translation (a), as does Kraus, and their interpretations proceed from that understanding.⁶¹ It seems to me that this is a questionable exegetical strategy for several reasons.

First, Barth's reading stands or falls with his translation of verse 4. Basing an interpretation on a verse that could mean one thing or its opposite is a dubious undertaking. Further, while both translations are linguistically possible, contextual considerations suggest that translation (b) is stronger.⁶² Barth's reading of verse 4, according to which the heavenly bodies make no noise that humans can hear, contradicts the very next poetic line, “Their **רֹאשׁ** carries throughout the earth, their words to the end of the world” (v. 5). One might understand the word **רֹאשׁ** to mean something one hears: “music” (so, e.g., NJPS and NEB),⁶³ “sound” (Kraus),⁶⁴ or “call” (Dahood).⁶⁵ Alternatively, one can follow the medieval interpreters ibn Ezra and Radaq in understanding the term to refer to a visual phenomenon in the night sky that humans perceive with their eyes rather than their ears. Alan Cooper suggests that **רֹאשׁ** can mean “line” in the sense of “the linear ‘course’ that the heavenly bodies follow”; by invariably following these courses, the heavenly bodies attest to the order and perfection of creation.⁶⁶ In whatever understanding of **רֹאשׁ** one adopts,

and if the second verset is subordinate to the first, then the poetic line entails not a static semantic parallelism but instead a parallelism of specification, and we arrive at translation (b) above. Both types of parallelism, and both translations, are entirely possible.

One can also arrive at translation (a) if one argues, with Franz Delitzsch, that **כִּי** can have the same meaning as **בְּלֹית**, which yields “their voice is unheard” (*A Commentary on the Book of Psalms* [trans. David Eaton and James E. Duguid; 3 vols.; New York: Funk and Wagnalls, 1883] 1:349).

One can also arrive at translation (b) by reading the second verset as subordinate to the first, as if it had an **רָאשׁ** at the beginning—i.e., “There is no utterance whose voice is not heard.” Thus Arnold B. Ehrlich translates: “Es gibt keine Sache und kein Ding, darüber ihre Stimme sich nicht hören liesse.” Ehrlich explains: “Im zweiten Versglied ist, wie öfter in der Poesie, die Rückbeziehung auf das logische Subjekt unterlassen. Auch LXX scheint die Worte so verstanden zu haben” (*Psalmen. Neu uebersetzt und erklaert* [Berlin: Poppelauer, 1905] 38).

⁶¹ Barth does not pause to defend the reading. Gunkel also presents it, albeit briefly, in Gunkel, “Psalms 19.” A slightly longer discussion appears in Kraus, *Psalms 1–59*, 171.

⁶² Another contextual consideration, however, works against translation (b): the other two-part lines in the first stanza all involve a relatively static semantic parallelism, while translation (b) requires us to read this line as having a dynamic, non-semantic parallelism of specification.

⁶³ For a defense of this translation, see Barr, *Biblical Faith*, 87 n. 9, where he argues that **רֹאשׁ** in our psalm, as in Sir 44:5 in the Masada scroll, means “a string” and hence the music produced thereby.” In addition, elsewhere Barr reviews six proposals, including one emendation to **קַו** and five attempts at reading the text as it stands; in all of the proposals, the meaning is some sort of sound (James Barr, “Do We Perceive the Speech of the Heavens? A Question in Psalm 19,” in *The Psalms and Other Studies on the Old Testament: Presented to Joseph I. Hunt, Professor of Old Testament and Hebrew, Nashotah House Seminary, on His Seventieth Birthday* [ed. Jack C. Knight and Lawrence A. Sinclair; Nashotah, Wis.: Nashotah House Seminary, 1990] 11–17, at 12–13).

⁶⁴ Kraus, *Psalms 1–59*, 268 and 271–72.

⁶⁵ Dahood, *Psalms*, ad loc.

⁶⁶ Cooper, “Creation,” 21 n. 18.

verse 5 makes clear that some sign the heavenly bodies make reaches the ends of the universe. This sign carries meaning; the psalmist tells us that it functions as the heavenly bodies' "words" (*מְלִיחָם*). Consequently, verse 5 challenges Barth's characterization of the heavenly bodies as noncommunicative.⁶⁷ Finally, if we were to accept Barth's assertion that nature according to the psalm provides no information to humanity, or that it is impossible for us to understand what nature conveys, then we would be forced to regard the majestic opening lines of the poem as ironic: if the skies tell of God's splendor, they do so pointlessly, for no person hears or sees their message. The tone of the poem does not support this reading, and it is unlikely that the poet devotes the impressive language of the first six lines to a tale devoid of sound, signifying nothing.

This psalm, in Barth's reading, presents a rejection of natural theology; it denies that we can know something true and useful about God by observing nature. In his reading, the psalm asserts the superiority and necessity of revelational theology. Real knowledge of God results only from God's specific gift in time to specific people. More broadly, for Barth natural theology is suspect because (he believes) it depends on human action and allows insufficient place for grace, while revelation and covenant are manifestations of grace: for a neoorthodox Calvinist, the point about the event at Sinai that prefigures the event at Golgotha is that both embody God's gift freely given, whereas natural theology implies humanity's idolatrous self-confidence. But the notion of revelation's superiority and self-sufficiency is not only a Calvinist reading of the psalm; one finds something similar among medieval Jewish thinkers who interpret the opening words of the second stanza (*תּוֹרַת הָ תְּמִימָה*)—"Yhwh's Torah is perfect/whole") to mean, as Nahmanides puts it in his commentary to Lev 4:25, that God's Torah "lacks nothing and has nothing

⁶⁷ One might attempt to defend Barth's reading by suggesting that v. 5 specifies the information from v. 4 without entirely contradicting it: the heavens' *קוֹל* (voice) is not heard, but their *צָהָב* is; their *דְּבָרִים* (words) are not heard, but their *מְלִיחָם* (another term meaning "words") are. In this case, the point may be that we human beings cannot fully hear or understand their message, but we can perceive some part of it. Even in this case, however, something gets through from the heavenly bodies to us, and this is precisely what Barth wants to deny.

Alternatively, we might call ibn Ezra and Radaq to Barth's defense. Those commentators argue that we *hear* nothing from the heavens—we do *see* a kind of writing in the heavens that we can study in the form of astronomy. Thus the heavens provide humanity with some information, albeit taken in through the eye, aided by our faculty of reason, rather than through the ear. In the end this reading supports Barth's preferred translation (viz., translation [a]) but goes against Barth's insistence that the heavenly bodies communicate nothing whatsoever.

For a different argument on behalf of translation (b), see the detailed treatment in Barr, "Do We Perceive," 13–15.

superfluous.”⁶⁸ In this sort of reading, natural theology can, at best, aid a person’s understanding of revelation, but it provides no knowledge on its own. Thus Barth maintains:

For now [after revelation, i.e., after the birth, life, and death of Jesus Christ] the self-witness of creation can also speak and tell of what God says, and therefore speak as from God Himself, praising and glorifying Him: ‘The heavens declare the glory of God; the firmament sheweth his handiwork’ (Ps 19.1 [2 MT]). To be sure, ‘there is no speech or language,’ i.e., they have no power to do it of themselves. But they acquire this power. The final and trustworthy thing which they cannot say of themselves concerning their being and existence, they now say as they reflect the eternal light of God, as they answer His word and as they correspond to His truth.⁶⁹

But this is not at all clear in Psalm 19. The first part of the psalm could stand on its own (if one continues reading, one sees that the second stanza expands on motifs from the first; but one could stop at the end of the stanza with a feeling that it forms a brief but complete whole), and the sort of knowledge the first stanza describes could subsist by itself. This knowledge emerges prior to the revelational section of the psalm, which suggests not that nature helps the believer understand an earlier revelation but that revelation supplements the natural knowledge. This natural knowledge existed without the supplement until the Israelite nation arrived at Mount Sinai, or until we arrived at verse 8 in our reading. Nothing in the psalm suggests that sky, firmament, sun, and stars respond to the revelation in the form of the w/Word; such a response would require them to be subsequent to the w/Word, when in the psalm they are prior to it. Whatever the sky and firmament are doing, they have power to do it on their own, even if the second half of the psalm shows that there is another power they lack.⁷⁰

⁶⁸ On this theme among medieval Jewish philosophers and exegetes, see Cooper, “Creation.” Cooper discusses the quotation from Nahmanides on p. 20. For earlier rabbinic readings that try to erase nature from the psalm, regarding the luminaries of the first stanza as merely ciphers for the Torah, see the passages from *Pesiq. Rab.* and *S. Eli. Rab.* discussed by Cooper on 27–28.

⁶⁹ Barth, *CD*, 3.1:164.

⁷⁰ It seems fair to state that Barth’s refusal to countenance any role for natural law drives his reading of Psalm 19. It is not enough for him to deny the possibility that natural theology and revelational theology complement each other; he insists that revelational theology cannot even represent an advance over natural theology, since that would allow some place for natural theology. For a respectful critique on this point from a Jewish viewpoint that advocates a “minimalist natural law theory,” see David Novak, “Karl Barth on Divine Command: A Jewish Response,” in idem, *Talking with Christians: Musings of a Jewish Theologian* (Grand Rapids, Mich.: Eerdmans, 2005) 127–45, esp. 143–45. For another perspective that resembles Barth’s but is rather more textually sensitive, see Thomas Krüger, “Gesetz und Weisheit im Pentateuch,” in *Auf den Spuren der schriftgelehrten Weisen. Festschrift für Johannes Marböck anlässlich seiner Emeritierung* (ed. Imtraud Fischer, Ursula Rapp, and Johannes Schiller; BZAW 331; Berlin: De Gruyter, 2003) 1–12; Krüger argues that for some biblical authors, including especially those responsible for Deuteronomy, wisdom, even in its most universal form, can only come from God as a gift and can be fully appreciated only through the observance of the law. Krüger successfully demonstrates that for some biblical authors, there is

A very different reading of the psalm appears in the work of James Barr. Where Karl Barth regards the second part of the psalm as superseding or effectively erasing the first, James Barr sees the relationship between the two parts of the psalm as complementary:⁷¹

God makes himself known in two complementary ways, first through the great works of creation which control the world, and secondly through his special communication exemplified by his law. The two channels of natural and revealed theology are here very properly to be seen. . . . As everyone on earth receives the heat of the sun, we are entitled to conclude, so everyone on earth receives the language of the heavens or some impression of it.⁷²

Barr moves beyond the complementary reading, however, when he suggests that even the second part of the psalm can be understood as referring to God's revelation through nature rather than God's revelation through teaching, law, or covenant that God vouchsafed to specific human beings. Commenting on verse 8, which begins the *torah* stanza, Barr asks what *torah* the psalm intends to speak of. He argues against the assumption that we should see *torah* in verse 8 specifically as Moses's Torah:

One can of course make that identification but the text does not require it. It is possible to read the text in another way, taking these as general terms for divine 'instruction' which may be available and accessible: it is not necessarily limited to the specific materials of the Mosaic Law. It is more like the instruction of a parent, notably a mother (Prov. 1.8, 6.20), or Wisdom's own instruction, directly given. If this is so, then both parts of the poem form a fine unity in their expression of a universal communication of praise of God from the heavens and instruction from the deity for humanity. Taken this way, it definitely looks positively towards something like natural theology.⁷³

With this suggestion Barr presents a mirror image of Barth's reading: if the teaching of the second stanza is identical to the natural theology of the first, then natural theology erases revelational theology, just as for Barth the message of the psalm is that revelational theology eclipses natural theology. But the language throughout the first part of the second stanza testifies against Barr's proposal. The

a more universal wisdom akin to natural theology, but that wisdom depends on grace and operates best along with rather than instead of revealed law (9). Yet for Krüger it is not simply the case that revealed law is more important than universal wisdom, for Israel can accept and fulfill the law only with the aid of reason and wisdom (6). Thus these two gifts from God depend on each other.

⁷¹ This resembles what Cooper calls the analogical reading of the psalm found in the work of the fifteenth-century philosopher Isaac Arama; see Cooper, "Creation," 28.

⁷² Barr, *Biblical Faith*, 87–88. A fine summary of what we may call the complementary reading appears also in Levenson, "Theologies of Commandment," 29: "What nature expresses about God in a continual wordless monologue (vv 2–7) is of the same order as the verbal revelation of Torah. The commandments are . . . to human society what the regularities of the heavenly bodies are to what they govern. . . . The analogue to the Torah the psalmist observes is not drawn from human society, but from the regularities of nature, not from history, but from the norms of astronomy."

⁷³ Barr, *Biblical Faith*, 88.

synonyms for the word *torah*—covenant, commandments, orders, laws—point toward a *torah* that encompasses a pact and includes legislation. If it is not Moses's Torah to which the psalm refers, then it is something very similar. The catalogue of nomistic synonyms in verses 8–10 could refer to some law book other than the Pentateuch—say, to the *Shulhan Arukh* or to the Qur'an. But they could not possibly refer to a book concerned with divinity but not with divine commands—say, to David Hume's *Dialogues Concerning Natural Religion* or Martin Buber's *I and Thou*. The stark stylistic contrasts between the two stanzas underscore the fact that they pertain to different types of wisdom.

Even Barr's more modest proposal that revelational/covenantal theology complements natural theology fails to attend to some aspects of the psalm. The terms used for God in the two sections carry considerable importance in this regard. The first stanza refers to God with the Hebrew term 'אֵל ('el). The second stanza calls God Yhwh. The difference is significant. 'El is a Hebrew word that simply means "god." It is a noun, not a name; more specifically, it is a job title. Yhwh, on the other hand, is God's personal name. Thus, as Michael Fishbane points out, "In this objective, impersonal section [vv. 2–7] God is called El, which suggests a certain majestic austerity and contrasts with the sevenfold usage of the personal divine name YHWH in the succeeding sections, where the life of mankind is more directly engaged."⁷⁴ To refer to a being by the being's job title suggests respect but distance. To refer to the person by name evinces a personal relationship. The sense of distance in the first stanza is reinforced by the fact that it refers to God only once, in the first line, while the sense of intimacy in the second is confirmed by the fact that it uses God's personal name freely, a total of seven times. From observing nature, then, one knows about God. From observing the terms of God's covenant, one begins not just to know about God but to know God. In addition, many Semitic nations shared the word 'el; that term or some very close cognate means "god" in the languages of the Israelites' near and far neighbors in Phoenicia, Edom, Moab, the Aramaean kingdoms, Babylonia, and Assyria.⁷⁵ But the name Yhwh was peculiar to the Israelites; a few debatable exceptions notwithstanding, it was not

⁷⁴ Fishbane, *Text and Texture*, 87.

⁷⁵ One might object to my characterization of the term 'el as a noun rather than a name by pointing out that the head of the Canaanite pantheon in the second millennium B.C.E. was simply called El. Of course it is always possible that a job description or a standard epithet can come to function like a name; thus many people refer to the sage from Asbury Park not only as "Bruce" but as "the Boss"—which in this context is not a job title that theoretically could be applied to others but a term unique to him (Him?). As a result of this phenomenon, the job title 'el came to function in Middle and Late Bronze Age Canaan as a sort of name, and it is possible that echoes of this verbal transformation endured into the Iron Age in Israel. Even in that case, however, the noun-cum-name El did not connote the particularity or intimacy of the personal name Yhwh because it was used so widely by so many nations, in contrast to Yhwh, which was a name and only a name.

used outside Israel.⁷⁶ Consequently, we may speak of the knowledge of God in the first stanza as universal and the relationship with God in the second as particular.⁷⁷

The pointed use of different terms for God in the two stanzas overturns Karl Barth's attempt to deny the possibility that nature provides genuine knowledge of God, even as it undermines James Barr's proposal that the two types of connection to God in the psalm are complementary. The psalm makes clear that God really is 'el, and one can learn truths from creation about the Creator's majesty.⁷⁸ The knowledge that comes from nature is valid; but it is also limited. It does not draw one into intimacy with God; it does not provide any ethical or moral directive. The Torah goes further than nature, supplementing it without superseding it. This is made explicit in verse 11, which tells us that the Torah and commandments are "More desirable than gold, than quantities of platinum; Sweeter than honey, than drippings from the comb." Gold is the color of the sun and an epithet of sun deities, who are also associated with sweetness in the ancient Near East.⁷⁹ Here the second stanza not only compares the Torah to the sun; it tells us that the Torah is better than the sun. This is not (contra Barth) a polemic against natural theology, but it does (contra Barr) set up a hierarchy in which both nature and the Torah are important, but the Torah is more precious.⁸⁰ (This supplementary position, which

⁷⁶ Scholars have suggested occasional occurrences of this name outside Israel. Frank Moore Cross argues that a similar term was used as an epithet in the second millennium among Amorites and that the term as a divine name in Israel may have evolved from that epithet (especially if the Israelites' ancestors included Amorites who migrated into Canaan; *Canaanite Myth and Hebrew Epic: Essays in the History of the Religion of Israel* [Cambridge: Harvard University Press, 1973] 60–75). A different approach appears in Smith, *Origins*, 145–46; Smith provides an up-to-date and sympathetic review of scholarship suggesting that Yhwh was originally a tribal god of groups located south of the earliest Israelites. Stephanie Dalley suggests that the name appears in northern Syria in the eighth century B.C.E. ("Yahweh in Hamath in the 8th Century BC: Cuneiform Material and Historical Deductions," *VT* 40 [1990] 21–32). This last case may involve worship transported from an Israelite setting, however, and in any event the evidence from Hamath does not indicate any widespread worship of this deity there. See Ziony Zevit, "Yahweh Worship and Worshippers in 8th-Century Syria," *VT* 41 (1991) 363–66, and the balanced but critical evaluation in Patrick D. Miller, *The Religion of Ancient Israel* (Louisville: Westminster John Knox, 2000) 214 n.17. These cases are at best rare and hardly overturn the claim I make above. For a review of this divine name outside Israel and its possible southern provenance, see Karel van der Toorn, "Yahweh," in *DDD*, 1712–30, at 1712–17. If Azize is correct, then a few Phoenicians may have worshipped Yhwh as a solar deity, but Azize points out that they seem to have picked up this worship from their Israelite neighbors (*Phoenician Solar Theology*, 244–45 and 252–57).

⁷⁷ Delitzsch notes the psalm's move from calling God El "in accordance with His relationship to the world as a Being possessed of power" to the "covenantal name" Yhwh (*Psalms*, 1:346).

⁷⁸ As ibn Ezra puts it in his comment to v. 2, "One who knows the [stars'] circuits has knowledge of the Most High."

⁷⁹ On gold and sweetness as standard epithets of sun deities, see Sarna, "Psalm XIX," 1:175.

⁸⁰ The notion that nature provides a revelation that prepares the way for a supplementary revelation in the Torah or in Christ reappears later in the work of Jewish and Christian theologians. See Rosenzweig, *Star*, 161, and Novak, *Natural Law*, 145 and 185. On this theme in the work of Abraham Joshua Heschel, see Shai Held, *Abraham Joshua Heschel: The Call of Transcendence* (Bloomington: Indiana University Press, 2013) 100–105.

posits a role for both general or natural revelation and for a more particular and specific revelation through grace is of course associated especially with Catholic teaching, particularly in the Thomistic traditions.⁸¹⁾

Further, the two sections differ in the ways they relate to human effort and divine grace. Knowledge about God in the first stanza requires action on humanity's part: we must turn to creation, observe it, think about what we perceive, and come to conclusions. The relationship with God in the second stanza, on the other hand, requires God to turn to humanity. In the first stanza God is object, while in the second God is subject. For this reason the valid but limited knowledge that comes from nature is not rightly termed revelation, if by that term we intend a willful act of disclosure on God's part, for revelation in that sense entails election.⁸² This contrast becomes more pointed in the very last verse of the poem, which opens us up to dialogue and redemption, for here the speaker, now addressing God directly, refers to the deity as 'אֵל, Redeemer.⁸³ God's turning to us in the Torah at the beginning of the second stanza is what allows us to begin speaking to God towards the end of that stanza, starting at verse 12. Creation does not yet do this on its own. Consequently, the second part of the second stanza intimates a crucial way in which knowing God goes beyond knowing about God. Further, as Hillel Ben-Sasson points out, relationship with God opens up new realms for human

One might argue that Maimonides has a similar view, according to which nature's law is available universally while the Torah is available only through Mosaic revelation, though one wonders whether his view puts a more radical emphasis on the Torah as no more than an imitation of the law of nature—albeit a perfect imitation that could only be produced by the perfect knowledge of nature that God vouchsafed to Moses. For this possibility, see Lawrence Kaplan, " 'I Sleep, but My Heart Waketh': Maimonides' Conception of Human Perfection," in *The Thought of Moses Maimonides: Philosophical and Legal Studies* (ed. Ira Robinson, Lawrence Kaplan, and Julien Bauer; Studies in the History of Philosophy 17; Lewiston, N.Y.: Mellen, 1990) 130–66, esp. 139–40, 144–45, and 161 n. 50, and Micah Goodman, *The Secrets of "The Guide to the Perplexed"* (Or Yehudah: Devir, 2010) 166–87 [Hebrew]. See also Alvin J. Reines, "Maimonides' Concept of Mosaic Prophecy," *HUCA* 40–41 (1969–1970) 325–61, at 356–57 and 359, and Kalman Bland, "Moses and the Law According to Maimonides," in *Mystics, Philosophers and Politicians: Essays in Jewish Intellectual History in Honor of Alexander Altmann* (ed. Jehuda Reinhartz, Daniel Swetschinski, and Kalman Bland; Durham, N.C.: Duke University Press, 1982) 49–66, at 59–62.

⁸¹ For official discussions expressing what we might call the supplemental point of view, see the *Catechism of the Catholic Church*, part 1, section 1, chapter 1:ii (¶31–38, available at http://www.vatican.va/archive/ENG0015/_PA.HTM and following, accessed April 14, 2015), as well as John Paul II's 1998 encyclical *Fides et ratio*, esp. §§7–23 and 80 (available at http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_14091998_fides-et-ratio.html, accessed April 14, 2015). For a brief introduction to these themes in Thomas Aquinas, see Peter S. Eardley and Carl N. Still, *Aquinas: A Guide for the Perplexed* (London: Continuum, 2010) 65–66, as well as *Summa theologiae* I, question 2, article 2; II-I, question 62, article 1, and question 91, article 4; and *Summa contra gentiles*, book 1, chapter 30. For a recent discussion of ways in which, for Thomas, revelation and grace deepen what reason knows, see Denys Turner, *Faith, Reason, and the Existence of God* (New York: Cambridge University Press, 2004) 26–47 (my phrasing echoes p. 43).

⁸² For a similar approach, see Christopher R. Seitz, *Word without End: The Old Testament as Abiding Theological Witness* (Grand Rapids, Mich.: Eerdmans, 1998) 18–19.

⁸³ I thank Jonathan Grossman for stimulating my thinking in this regard.

beings that involve both morality and the possibility of happiness, for it is when the speaker addresses God that these issues become prominent:

A relationship with The Other thus enables ethical relationships to another, any other. It also sets the horizon of pleasure, and joy (v.11), which are hardly possible in the neutral observation of nature's splendor. . . . Human reaction is possible only when a subjective divine gesture reaches out to it; the regulatory course of nature might provoke awe and splendor, but not joy.⁸⁴

To be sure, many a scientist would disagree: some human beings take pleasure from observing nature. But the psalm does not address that possibility. For the psalmist, observing nature yields awe and perhaps what Rudolph Otto calls creature-consciousness,⁸⁵ but not joy. Pleasure appears in the psalm at verse 11 ("More desirable . . . Sweeter"), as the psalm turns in verses 13–14 from God's communication of law to the ethical action entailed by the psalmist's attempt, in consonance with that law, to avoid sin.

The two stanzas do not, then, provide us with functional equivalents. Rather, what happens in the second stanza adds something new and valuable to what happens in the first. It follows that the two-part structure of this poem recapitulates the dynamics of the ancient Hebrew poetic line. Both James Kugel and Robert Alter have pointed out that the second verset of a parallel line in biblical poetry echoes but modifies the first, often by a logic of "intensification" (Alter's term); the structure of the parallel line is not simply one of equivalence, but is (in Kugel's words) "A, and what's more, B."⁸⁶ These phrases describe how the second stanza of Psalm 19 relates to the first, and thus they sum up the core theology of this poem. The second stanza moves us from knowledge of God to relationship with God, from proposition to covenant, from reasoning to deed, from observation to joy, from speculation to law, from detachment to grace.

■ *Apologia Pro Vita Sua*

We have seen four possible readings of Psalm 19 as a unified poem, all of which focus on the relationship between the two stanzas and the worlds they represent: one stresses revelation and grace while disparaging natural theology; one sees the whole poem as championing natural theology; one sees the two modes of connecting

⁸⁴ Hillel Ben-Sasson, personal communication concerning Psalm 19.

⁸⁵ Rudolf Otto, *The Idea of the Holy: An Inquiry Into the Non-Rational Factor in the Idea of the Divine and Its Relation to the Rational* (trans. John W. Harvey; London: Oxford University Press, 1923) 8–10 (for the term, see 10 in particular).

⁸⁶ See James Kugel, *The Idea of Biblical Poetry: Parallelism and Its History* (New Haven, Conn.: Yale University Press, 1981) 1–58 (the phrase I quote comes from the title of ch. 1), and Robert Alter, *The Art of Biblical Poetry* (New York: Basic Books, 1985) 3–26 (the term quoted is from p. 11). On the idea that the second half of the psalm corresponds to the idea of "what's more, B," see Nahmanides's comment on the psalm: "After saying 'the heavens proclaim the glory of God', the psalm continues in praise of Torah, which proclaims the praise of God even more than the aforementioned heavens, sun, moon, and stars" (cited in Cooper, "Creation," 23).

with God as complementary; and what I have presented as the strongest reading sees revelation as supplementing natural theology in valuable ways. The supplementary reading of the psalm that I have endorsed here is not a new one. As Alan Cooper has shown, medieval Jewish thinkers including Nahmanides, Bahya ben Asher, and Meiri present similar readings.⁸⁷ The essential idea I propose is stated by ibn Ezra in his comment to verse 8:

Up until this point the psalm explains how an intelligent person can find proof of divinity and how he can recognize God's works. At this point, David says there is more evidence, of greater value and more reliable: God's Torah and decrees, precepts, instructions, the fear of him and his judgments.

In fact, a core message of the poem—that creation is worthy of our attention, and more specifically that what moderns and medievals call astronomy is worthy of our religious attention—plays a major role not only in ibn Ezra's commentary on the psalm but in his own vocation as a poet.⁸⁸

Qohelet famously tells us that there is nothing new under the sun.⁸⁹ Given the parallel between sun and Torah in Psalm 19, it is not surprising to learn that there is nothing new in the study of Torah either. I have not proposed any new reading in this essay. Rather, I have provided new arguments for an old one, and in doing so I have attempted to display several tools and types of reasoning employed by biblical critics. Any one of the tools and any one of the questions I asked along the way might seem far-removed from the weighty issues that interest a person who wants to engage Hebrew Scripture on a theological or philosophical level. Indeed, when one reads the secondary literature produced by biblical critics, one often finds work that asks only one of these questions or employs only one of the tools. The results of such work give the field of biblical criticism the reputation among some literary and theological readers of being narrow or pedantic. When, however, we employ these tools and questions to put biblical texts in dialogue with later thinkers, we are able to recover the way ancient Israelite thinkers grappled with core questions that also concern philosophers.⁹⁰ While biblical texts are not philosophical in their methods of inquiry or their styles of discourse, they address

⁸⁷ See Cooper, "Creation," 23–25 and 29–32.

⁸⁸ On this theme in ibn Ezra's exegetical and poetic work, see Israel Levin, *Avraham ibn Ezra: Shirim* (Tel Aviv: Haim Rubin Press of Tel Aviv University, 2011) 208–9 [Hebrew]. This topic is central for the medieval Sephardic poets generally; one thinks, above all, of ibn Gabirol's masterwork, *Keter Malkhut*, which is thematically quite close to Psalm 19.

⁸⁹ Qoh 1:9.

⁹⁰ For a programmatic attempt to describe such a dialogue between biblical scholarship and theology or even philosophy of religion, see Benjamin D. Sommer, "Dialogical Biblical Theology: A Jewish Approach to Reading Scripture Theologically," in *Biblical Theology: Introducing the Conversation* (ed. Leo G. Perdue, Robert Morgan, and Benjamin D. Sommer; Library of Biblical Theology; Nashville: Abingdon, 2009) 1–53 and 265–85. For a critique of the form of historicism that pervades the field and prevents scholars from recognizing attempts by biblical texts to address

questions of philosophical importance:⁹¹ What can it mean to know God? What is the role of God as subject and as object in God's interaction with humanity? How can one think about universalism, particularity, grace, covenant, and law? Because biblical criticism affords us access to the biblical authors' thinking on these issues, it contributes to much wider projects. This is the case not only in the work of biblical critics who specialize in theological and literary approaches, but also when one combines the work of biblical theologians and literary critics on the one hand with archaeological, philological, comparative, and historical approaches on the other—that is, with the sort of work that some theological or philosophical readers of Scripture view as irrelevant. Psalm 19 provides not only a case study but a model for this dialogue among varied approaches, for it is precisely when one attempts to supplement one approach with another that *torah* becomes whole.

issues of enduring value, see Benjamin D. Sommer, "Dating Pentateuchal Texts and the Perils of Pseudo-Historicism," in *The Pentateuch: International Perspectives on Current Research* (ed. Thomas B. Dozeman, Konrad Schmid, and Baruch J. Schwartz; FAT 78; Tübingen: Mohr Siebeck, 2011) 85–108.

⁹¹ In creating this dialogue among biblical and post-biblical thinkers, I reenact Hermann Cohen's attempt "to demonstrate how a non-philosophical literary text could contain modes of understanding which had been formulated in a systematic, conceptual fashion only by later philosophy." I take this description of Cohen's project from Eliezer Schweid, "Hermann Cohen's Biblical Exegesis," in "*Religion der Vernunft aus den Quellen des Judentums. Tradition und Ursprungsdanken in Hermann Cohens Spätwerk*" (ed. Helmut Holzhey, Gabriel Motzkin, and Hartwig Wiedebach; Philosophische Texte und Studien 55; Hildesheim: Olms, 2000) 359–79, at 359.

Valla-Style Determinism and the Intellectual Background of Luther's *De servo arbitrio*^{*}

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This paper argues that the Renaissance philosopher Lorenzo Valla's *De libero arbitrio* (1439) appears to anticipate Luther's *De servo arbitrio* (1525) on several key issues.¹ This thesis was defended in the 1940s by the well-known Renaissance scholar Charles Trinkaus, who expressed regret over the fact that modern interpreters of Valla's dialogue had "failed to see its connection with the Reformation."² As we shall see further on, however, Trinkaus's position does not seem to have had much impact on the subsequent literature.

In seeking to rehabilitate Trinkaus's thesis, I argue that Valla's *De libero arbitrio* appears to advocate a position on determinism and free will very similar to that of

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¹ For Luther's *De servo arbitrio* I use the Latin text in *D. Martin Luthers Werke. Kritische Gesamtausgabe (Weimarer Ausgabe)* (127 vols.; Weimar: Böhlau, 1883–2009) (hereafter WA) vol. 18, and the English translation in *The Bondage of the Will* (trans. James I. Packer and Olaf R. Johnston; London: Clarke, 1957; repr., Grand Rapids, Mich: Revell, 2006) (page numbers taken from the reprinted edition). For Valla's *De libero arbitrio* I use the Latin text *Laurentii Vallae De libero arbitrio* (ed. Maria Anfossi; Opuscoli filosofici: Testi e documenti inediti o rari 6; Florence: Olschki, 1934) (hereafter DLA), and the English translation in "Dialogue on Free Will" (trans. Charles Trinkaus), in *The Renaissance Philosophy of Man: Petrarca, Valla, Ficino, Pico, Pomponazzi, Vives* (ed. Ernst Cassirer, Paul O. Kristeller, and John H. Randall Jr.; Chicago: University of Chicago Press, 1948) (hereafter DFW) 155–82.

² Charles Trinkaus, "The Problem of Free Will in the Renaissance and the Reformation," *JHI* 10 (1949) 51–62, at 60. See also idem, "Introduction," in *Renaissance Philosophy* (ed. Cassirer, Kristeller, and Randall), 147–54, at 152–54.

Luther in *De servo arbitrio*. Indeed, the parallels between what seem to be Valla's and Luther's respective positions on these topics are so striking that any attempt to reconstruct the historical-theological background of Luther's *De servo arbitrio* would do well to take Valla's *De libero arbitrio* into serious account.

■ An Overview of Valla's *De libero arbitrio*

De libero arbitrio narrates a dialogue between Valla (referred to by his first name, "Lorenzo") and a certain Antonio. The dialogue is relatively short; in Maria Anfossi's Latin edition of the text the dialogue comprises a mere 846 lines.

To get an overview of the dialogue I shall divide it into seven parts, which I identify using the numbered line system provided in Anfossi's Latin edition of the text. I also provide quotations from some of the more important passages, which I label as passages A–H to facilitate subsequent referencing.

The seven "parts" of the dialogue are as follows. Part 1 (lines 1–79) contains an introductory exhortation to theologians "not [to] depend so much on philosophy," along with a statement of the purpose of the dialogue, which is said to be

(A) to show that Boethius (for no other reason than that he loved philosophy excessively) argued incorrectly about free will in the fifth book of his *Consolation of Philosophy*.³

Part 2 (lines 80–203) introduces the dialogue proper. Antonio gives his reason for not considering Boethius's solution to the free will / foreknowledge problem satisfactory:

(B) [Boethius], to whom all give the palm in explaining this question, is himself unable to complete what he undertakes. . . . For he says that God, through an intelligence which is beyond reason, both knows all things for eternity and holds all things present. But can I, who am rational and know nothing outside of time, aspire to the knowledge and intelligence of eternity? I suspect Boethius himself did not understand them, even if the things he said were true, which I do not believe.⁴

³ DFW, 156; DLA, 46–51 ("Sed adversus alios dicendi multis in locis dabitur tempus; in praesentiarum vero ostendere volumus Boëtium nulla alia causa, nisi quod nimis philosophiae amatorem fuit, non eo modo quo debuit disputasse de libero arbitrio de consolatione").

⁴ DFW, 160; DLA, 153–63 ("Nam quid de aliis dicam? cum Boëtius ipse, cui in explicanda hac quaestione datur ab omnibus palma, quod suscepit implere non possit; sed ad quasdam res confugiat imaginarias et commentitias. Ait enim Deum per intelligentiam, quae supra rationem est, et per aeternitatem omnia scire, omniaque habere praesentia. At ego ad cognitionem intelligentiae et aeternitatis, qui rationalis sum et nihil extra tempus agnosco, aspirare qui possum? Haec ne Boëtium quidem ipsum suspicor intellexisse, si modo vera sunt dixit, quod non credo").

Antonio then goes on to specify the topic that he wishes to discuss with Valla:

(C) *Lo[renzo]*. What do you ask me to explain? *An[tonio]*. Whether the foreknowledge of God stands in the way of free will and whether Boethius has correctly argued this question.⁵

We see here that there are two questions Antonio wants to discuss, namely 1) whether divine foreknowledge is reconcilable with free will, and 2) whether Boethius has argued correctly on this question. These questions are dealt with, in this order, in parts 5 and 6 of the dialogue.

In part 3 (lines 204–29) Valla requests Antonio to “get into the very heart of the question.”⁶ In response, Antonio puts forth the following argument:

(D) If God foresees the future, it cannot happen otherwise than He foresaw. For example, if He sees that Judas will be a traitor, it is impossible for him not to become a traitor, that is, it is necessary for Judas to betray, unless—which should be far from us—we assume God to lack providence. Since He has providence, one must undoubtedly believe that mankind does not have free will in its own power; and I do not speak particularly of evil men, for as it is necessary for these to do evil, so conversely it is necessary for the good to do good, provided those are still to be called good or evil who lack will or that their actions are to be considered right or wrong which are necessary and forced.⁷

This argument contains an important assumption that Valla is to pick up and criticize in part 4: to wit, if God has foreknowledge of all things, then it is “necessary” that these things take place, in which case people lack free will.

Having presented the above argument Antonio proceeds to state what he takes to be a disturbing consequence of his argument, namely, that if people have free will, then God lacks foreknowledge, but that if God has foreknowledge and people consequently lack free will God is unjust in punishing sinners.⁸

In part 4 (lines 230–435) Valla attacks an assumption of Antonio’s foregoing argument on the basis of a distinction between what “can” and what “will” happen:

⁵ DFW, 161; DLA, 188–90 (“LAU. Quid istuc est quod tibi explicari postulas? AN. Numquid praescientia Dei obstet libertati arbitrii, et an de hac quaestione recte Boëtius disputaverit?”).

⁶ DFW, 162.

⁷ DFW, 162; DLA, 205–15 (“Si Deus futura providit, aliter non potest evenire quam ille providerit. Veluti si Iudam praevericatorem videt fore, impossibile est hunc non praevericaturum esse, idest necesse est Iudam praevericari, nisi, quod absit, Deum carere providentia volumus. Hoc cum ita sit, nimis censemus est genus humanum non habere in sua potestate arbitrii libertatem; nec de malis tantum loquor: nam ut his necessare est male facere, ita bonis e contrario bene, si boni tamen malive dicendi sunt qui arbitrio carent, vel eorum actiones existimandae rectae aut secus, quae necessariae sunt et coactae”).

⁸ DFW, 162.

(E) Something that can happen and something that will happen are very different. I can be a husband, I can be a soldier or a priest, but will I right away? Not at all. Though I can do otherwise than will happen, nevertheless I shall not do otherwise; and it was in Judas' power not to sin even though it was foreseen that he would, but he preferred to sin, which it was foreseen would happen. Thus foreknowledge is valid and free will abides.⁹

After a debate Antonio finally concedes Valla's argument, remarking that his argumentative weapons have been "smashed" and that he will "object no further."¹⁰

Part 5 (lines 436–517) opens with Valla first noting that he has thus far not put forth "what I had decided to say" but only what "defense itself demanded."¹¹ He then sets out to explain "what persuades me . . . that foreknowledge is no impediment to free will."¹² This topic corresponds to the first of the two questions that Antonio raised in part 2, i.e., whether divine foreknowledge and free will are reconcilable.

In arguing that divine foreknowledge is reconcilable with free will, Valla makes use of a fable. In the fable, Sextus Tarquinius consults Apollo, who knows the future, about the remainder of his life, and Apollo replies that Sextus will commit many crimes and then be killed. Horrified, Sextus asks Apollo to repeal his prophecy, but Apollo responds that he merely "knows" fates and that Jupiter is the one who "decide[s]" them.¹³ From Apollo's response Valla takes it to be evident that foreknowledge does not as such determine the future, and so Antonio's worries over whether foreknowledge and free will are reconcilable are taken to be "answered."¹⁴ Antonio concedes Valla's conclusion, saying that the matter is now "fully solved."¹⁵

Part 6 (lines 518–764) is concerned with the second of Antonio's two questions mentioned in part 2, i.e., "whether Boethius has correctly argued this question." In addressing this question Valla returns to his above fable, and asks Antonio how he thinks Sextus might have responded to Apollo's claim that Jupiter decides fates. Valla suggests that Sextus might have protested the claim via an appeal to his own free will. But to this Valla has Apollo answer as follows:

⁹ DFW, 168; DLA, 403–11 ("Longe diversum est aliquid posse fieri et aliquid futurum esse. Possum esse maritus, possum esse miles aut sacerdos, numquid protinus et ero? minime. Ita possum aliter agere quam eventurum sit, tamen non aliter agam: et in manu Iudae erat non peccare, licet foret provisum, sed peccare maluit, quod iam sic fore erat praescitum. Quare rata est praescientia, remanente arbitrii libertate").

¹⁰ DFW, 169.

¹¹ Ibid.

¹² Ibid.

¹³ Ibid., 170.

¹⁴ Ibid., 171.

¹⁵ Ibid.

(F) This is the way things are, Sextus. Jupiter as he created the wolf fierce, the hare timid, the lion brave, the ass stupid, the dog savage, the sheep mild, so he fashioned some men hard of heart, others soft, he generated one given to evil, the other to virtue, and, further, he gave a capacity for reform to one and made another incorrigible. To you, indeed, he assigned an evil soul with no resources for reform. And so both you, for your inborn character, will do evil, and Jupiter, on account of your actions and their evil effects, will punish sternly, and thus he has sworn by the Stygian swamp it will be.¹⁶

At this point Antonio retorts that if this is the case Sextus might ask how Jupiter can be just in punishing him.¹⁷ To this Valla replies:

(G) This is what I wished to say for my proof. For this is the point of my fable, that, although the wisdom of God cannot be separated from His power and will, I may by this advice of Apollo and Jupiter separate them. What cannot be achieved with one god may be achieved with two, each having his own proper nature—the one for creating the character of men, the other for knowing—that it may appear that providence is not the cause of necessity but that all this whatever it is must be referred to the will of God.¹⁸

Antonio is baffled by this turn in Valla's reasoning, saying that this is to "annul free will" by "the will of God."¹⁹ Antonio accordingly asks Valla to "solve" the further issue of reconciling human free will with the will of God. Valla replies that this further topic is not part of what they initially agreed to discuss (see part 2). Nevertheless, Valla points Antonio in the direction he believes he should go to look for an answer to this question—to wit, chapter 9 of the apostle Paul's Romans. The apostle Paul there says, with respect to God's election of some and hardening of others, that "it is not of him that willeth, nor of him that runneth, but of God that showeth mercy," and that God's reasons for electing and hardening are simply beyond human comprehension (which, however, does not prevent us from knowing that the reasons, whatever they are, are "most worthy," inasmuch as God is "most wise and good").²⁰

¹⁶ DFW, 173; DLA, 558–68 ("Sic se res habet, Sexte. Iupiter, ut lupum rapacem creavit, leporem timidum, leonem animosum, onagrum stolidum, canem rabidum, ovem mitem, ita homini alii finxit dura praecordia, alii mollia, alium ad scelera, alium ad virtutem propensiorem genuit. Praeterea alteri corrigibile, alteri incorrigibile ingenium dedit, tibi vero malignam animam, nec aliqua ope emendabilem tribuit. Itaque et tu pro qualitate ingenii males ages, et Iupiter pro actionum tuarum atque operum modo male mulctabit, et ita fore per Stygiam paludem iuravit").

¹⁷ DFW, 174.

¹⁸ Ibid.; DLA, 576–84 ("Hoc est quod pro mea probatione afferre volui, nam haec est vis huius fabulae, ut cum sapientia Dei separari non possit a voluntate illius ac potentia, hac similitudine separarem Apollinis et Iovis: et quod in uno Deo obtineri non valebat, id obtineretur in duobus, utroque suam certam naturam habente, altero quidem creandi ingenia hominum, altero autem sapiendi: ut appareat providentiam non esse causam necessitates, sed hoc, quicquid est, totum ad voluntatem Dei esse referendum").

¹⁹ DFW, 174.

²⁰ Ibid., 176–77.

Lorenzo then proceeds to use Paul's statement in Romans 9 to attack what he takes to be the heart of Boethius's position:

(H) Listen, for this is what I wished to say: Paul first said, "So then it is not of him that willeth, nor of [man] that runneth, but of God that showeth mercy." But Boethius in his whole argument concludes, not actually in words but in substance: It is not of God who forseeth, but of man who willeth and runneth. Thence it is not enough to dispute about the providence of God unless the will (of God) is also discussed.²¹

Antonio finds Valla's reasoning persuasive, saying that Valla has argued "a most true opinion of Boethius."²²

In part 7 (lines 765–846) Valla brings the discussion to a conclusion, returning to and reiterating his earlier exhortation (in part 1) not to depend too much on philosophy.

■ Interpretation 1: Valla as Proponent of Libertarian Free Will

Valla's *De libero arbitrio* has been interpreted in three main ways: 1) as advocating libertarian free will, 2) as urging no definite position on free will, and 3) as opposing libertarian free will. In sections 2–5, I survey these three interpretations, and argue that whereas the first two are inadequate the third one seems correct.

I begin with the view that Valla's dialogue advocates libertarian free will.²³ This interpretation can be found in the work of a number of scholars not primarily concerned with Valla but with the Luther-Erasmus debate. In *Luthers Lehre vom unfreien Willen* (1967), for example, Harry J. McSorley describes Valla's *De libero arbitrio* as "a work in which the natural freedom of man's will—in the traditional Catholic sense—is *defended*" (where free will in "the traditional Catholic sense" is taken to be inconsistent with determinism).²⁴ A similar view is expressed in the footnotes provided by Peter Macardle, Clarence H. Miller, and Charles Trinkaus

²¹ Ibid., 179; DLA, 737–45 ("Audies; hoc enim est quod ego dicere volebam: nam primus Paulus ait: 'Non est volentis neque currentis hominis, sed miserentis Dei'. Boëtius vero in tota disputatione colligit, non quidem verbis, sed re: Non est providentis Dei, sed volentis ac currentis hominis. Deinde non satis est disputare de providentia Dei, nisi dicatur etiam de voluntate, quod ne multa dicam, ex facto tuo probari potest, qui non contentus prima quaestione explicate, de proxima quoque querendum putasti").

²² DFW, 179.

²³ "Libertarian free will" encapsulates the thesis that people have "free will" in a sense that is incompatible with determinism. See, e.g., Bernard Berofsky, "Preface," in *Free Will and Determinism* (ed. idem; New York: Harper & Row, 1966) ix–x: "Men have free will, but only when their behavior is not governed by any deterministic law."

²⁴ Harry J. McSorley, *Luther: Right or Wrong? An Ecumenical-Theological Study of Luther's Major Work, "The Bondage of the Will"* (New York: Newman, 1969) 326 [italics in original]. For the German original, see *Luthers Lehre vom unfreien Willen nach seiner Hauptschrift "De servo arbitrio" im Lichte der biblischen und kirchlichen Tradition* (Beiträge zur ökumenischen Theologie 1; Munich: Hueber, 1967) 300 ("ein Werk lobt, in dem die natürliche Freiheit des menschlichen Willens im traditionellen katholischen Sinne verteidigt wird").

in Macardle and Miller's translation of Erasmus's *De libero arbitrio diatribe sive collatio*: "Valla's own rhetorical theology was not discordant with that of Erasmus, and in his own terms Valla strongly favoured free will."²⁵

Macardle et al. provide no textual support for their reading of Valla. McSorley, however, appeals to Valla's claim in part 4 of *De libero arbitrio* (see passage E) that divine foreknowledge is not inconsistent with free will:

Valla says: ". . . I deny that if it is possible for something to happen in another way than has been foreknown, it follows that the foreknowledge can err. . ." Valla is certain both of man's free will and God's foreknowledge. But how they are to be reconciled, he says, cannot be known by reason—only by faith.²⁶

There are at least three problems with this interpretation.

First, the interpretation would only be plausible if Valla, in holding free will to be reconcilable with divine foreknowledge, uses the term "free will" in a non-libertarian sense in which free will is inconsistent not simply with coercion but with the possibility that people act otherwise than they do. However, McSorley provides no evidence for thinking that Valla understands the term "free will" in this sense. On the contrary, he concedes in a footnote that Valla "conceives of no other necessity than . . . 'necessitas coactionis,'" i.e., necessity in the sense of absence of coercion.²⁷ Hence, Valla's claim that free will is reconcilable with divine foreknowledge does not show that he holds people to have free will in the libertarian sense.

Second, McSorley misinterprets Valla's claim about "what cannot be known by reason." Valla's claim is not that the reconciliation of free will and divine foreknowledge is something that "cannot be known by reason." Rather, Valla takes free will and divine foreknowledge to be rationally reconcilable on the basis of a distinction between what "can" happen and what "will" happen (see passage E). As we saw in connection with our survey of part 6 of the dialogue, what Valla regards as beyond rational comprehension pertains to God's reason for electing some and hardening others, which is something quite different. Accordingly, Valla's claim about "what cannot be known by reason" does not show that Valla concedes the existence of libertarian free will.

²⁵ *Controversies* (ed. Charles Trinkaus; trans. Peter Macardle and Clarence H. Miller; vol. 76 of *Collected Works of Erasmus*; Toronto: University of Toronto Press, 1999) 16 n. 49.

²⁶ McSorley, *Luther's Lehre*, 301 ("sagt Valla: ' . . . nego si possibile est aliter evenire quam praescitum est, consequens esse praescientiam falli posse. . .' Für Valla ist beides sicher, Gottes Vorherwissen und der freie Wille des Menschen. Wie beide Größen jedoch vereinbart werden können, so sagt er, kann nicht mit dem Verstand, sondern nur mit dem Glauben erfaßt werden"); McSorley, *Luther*, 327.

²⁷ McSorley, *Luther's Lehre*, 301 n. 156; idem, *Luther*, 327.

And third, the idea that Valla's dialogue advocates libertarian free will sits uncomfortably with Valla's affirmation in passage G that all things whatsoever—including human volitional action—take place of necessity by virtue of the will of God. Indeed, this affirmation militates against libertarian free will.

■ Interpretation 2: Valla as Indefinite on Free Will

We turn next to the view that Valla is not arguing either for or against free will in *De libero arbitrio*, but has some other aim in mind. An early variant of this view is found in Ernst Cassirer's classic study *The Individual and the Cosmos in Renaissance Philosophy* (1964), and a more recent variant is urged in a paper by Margaret Cameron.

According to Cassirer, Valla's aim in the dialogue is not to advocate a particular position on free will, but instead to pose a question to his readers and then leave it up to them to make up their own minds. Says Cassirer:

How is it possible that man, a creature, owes the whole of his being to God and yet is gifted with freedom of the will by virtue of which he is responsible for his decisions? . . . Neither here nor elsewhere does he [i.e., Valla] want to present us with final conclusions. He is satisfied with placing the question before us in its sharpest possible formulation; then he leaves us with the question.²⁸

Valla's alleged aim is taken to accord with a secularist and antidogmatic thrust in Valla's work. Indeed, Cassirer sees Valla as a forerunner of eighteenth-century Enlightenment rationalism:

The problem of freedom is taken before an entirely secular forum, before the bench of "natural reason." . . . Valla created the form of dogma-criticism used in the seventeenth century by Bayle and even in the eighteenth century by Lessing. Valla leaves the *decision* to other instances; but he demands that the *investigation* be conducted exclusively from the point of view of reason and with its means.²⁹

How does Cassirer defend his view that Valla does not advocate a definite position on free will but seeks rather to pose a question? Perhaps the closest we come to a defense is what he says in connection with his exposition of the section of Valla's fable quoted above in passage F:

²⁸ Ernst Cassirer, *The Individual and the Cosmos in Renaissance Philosophy* (trans. Mario Domandi; New York: Harper & Row, 1964) 80.

²⁹ Ibid., 78 [italics in original].

[Apollo] may summon Sextus before the tribunal of Jupiter, who gave him this tendency, this disposition of the will. *And at this point, Valla's investigation breaks off.* How is it possible that man, a creature, owes the whole of his being to God and yet is gifted with freedom of the will by virtue of which he is responsible for his decisions? This question, according to Valla, can no longer be answered by philosophy. Only resignation remains, only refuge in mystery.³⁰

Cassirer's claim, then, is that Valla's investigation "breaks off" after it has been said that Jupiter decides fates, and this is taken to indicate that Valla is not defending a definite position for or against free will.

As a defense of his interpretation this will not suffice, however. For, to begin with, it is not clear what Cassirer means when he says that Valla's investigation "breaks off" in passage F. If we suppose he means that Valla says nothing more on the topic of free will after passage F, his claim is simply false. After passage F, Valla goes on to say several important things pertaining to this topic, such as that the "point" of his fable is that all things "must be referred to the will of God" (passage G), which has a clear bearing on the topic of free will. So Cassirer fails to provide adequate support for his interpretation.

We turn next to Cameron's more recent variant of the present view. According to Cameron, Valla's aim in *De libero arbitrio* is to undermine Boethius's attempt to provide "consolation" by means of what is variously termed "rational transformation," "reason," and "rational argument":

By rejecting the possibility of rational transformation, Valla aimed to eliminate reason as a source of consolation. Ultimately, what matters for Valla is the way in which consolation is sought and answers are given, and the allegorical delivery of the answer to the dilemma is supposed to be more satisfying than Boethius' rational argument.³¹

In place of Boethius's rationalistic means of consolation, Valla is said to have proposed "the art of persuasion":

[Valla sought to] replace rational consolation with something more persuasive, namely to use rhetorical tools to show that only the love of God (*caritas*) could soothe the soul. . . . Valla turned to what he considered to be the correct approach to the conflict between divine foreknowledge and human freedom: the art of persuasion. Persuasion here comes in the form of pagan myth [i.e., the fable about Sextus].³²

³⁰ Ibid., 80 [italics added].

³¹ Margaret Cameron, "Ac Pene Stoicus: Valla and Leibniz on *The Consolation of Philosophy*," *History of Philosophy Quarterly* 24 (2007) 337–54, at 342.

³² Ibid., 341–42.

Moreover, it is not part of the relevant “art of persuasion” to defend any definite position on the question of free will:

Without doubt, Valla used his dialogue as an opportunity to mock the twists and confusions of dialectical debate, but at the same time he tended to bow out of philosophical debate simply by objecting to its technical terminology. . . . Ultimately, Valla rejected Boethius’s solution on the grounds that it absurdly requires the human mind to grasp something which is itself inaccessible to mere mortals; that is, limited reason is asked to comprehend the infinite, or at least to know that God’s understanding is infinite, which Valla thought amounted to the same.³³

This interpretation is very problematic. As her textual evidence for the idea that Valla’s “art of persuasion” (as manifested in the fable about Sextus) does not take any definite position on free will, Cameron appeals to the criticisms of Boethius’s position found in passage B. What Cameron misses here, however, is that the criticisms in passage B are not Valla’s but Antonio’s. Valla’s criticisms of Boethius are given in passage H, and center on the quite different charge that Boethius puts the will of human beings in the place of the will of God.

There are also more general problems with Cameron’s interpretation. For example, she takes Valla’s dialogue to aim at offering “consolation,” where consolation is understood as a means of “sooth[ing] the soul.” But this does not square well with the textual evidence: as is made clear in passages A and C, the aim of the dialogue is to “show that Boethius . . . argued incorrectly about free will in the fifth book of his *Consolation of Philosophy*” by discussing “whether the foreknowledge of God stands in the way of free will” and “whether Boethius has correctly argued this question.” This is not aimed at providing “consolation” in the sense of a means for soothing the soul.

■ Interpretation 3: Valla as Opponent of Libertarian Free Will

We turn now to a third interpretation, according to which Valla’s dialogue is concerned with opposing libertarian free will, or with espousing a form of determinism (which amounts to the same thing). This is the view of Trinkaus.³⁴ According to Trinkaus, modern commentators on Valla’s dialogue have largely failed to see the dialogue’s “connection with the Reformation.”³⁵ To make the Valla-Luther connection evident, Trinkaus points out that Erasmus singles out Valla as a precursor of Luther in the context of their famous free will debate,³⁶ and notes that

³³ Ibid., 342.

³⁴ See Trinkaus, “Problem of Free Will,” 51–62. See also the footnotes provided by Trinkaus in DFW, 165 (n. 15), 172 (n. 18), and 177 (n. 23).

³⁵ Trinkaus, “Problem of Free Will,” 60.

³⁶ Ibid.; see also his “Introduction,” 153. For Erasmus, see his *De libero arbitrio diatribe sive collatio* (ed. Winfried Lesowsky; Darmstadt: Wissenschaftliche Buchgesellschaft, 1969) 24 (“propemodum videtur cum his sentire”).

Luther himself in a *Tischrede* remark praises Valla as “the best Italian I’ve ever seen or heard of in all my life,” and also says that Valla “argued well about free will.”³⁷ The connection is viewed as especially evident with respect to the irreconcilability of free will and divine predestination, which Trinkaus takes to be a major theme not only in Luther but also in Valla’s dialogue (as is seen from the use that Valla makes of the predestinarian passage in Romans 9 in part 6 of the dialogue):

[Valla] denied that there was any way open to man for comprehending the contradiction of man’s seeming possession of free will and God’s powers exercised in “hardening” this man and “showing mercy” on that one. While divine foreknowledge might not contradict human freedom, divine predestination seemed to.³⁸

Trinkaus takes Valla’s above position to amount to a sort of “determinism.”³⁹ When it comes to explaining this determinism in greater detail, however, he resorts to an idea, urged by the nineteenth-century Italian scholar Luciano Barozzi, according to which Valla is advocating a form of “psychological determinism” akin to nineteenth-century positivism: “Barozzi . . . seems to have justly seen that . . . like modern positivist philosophers, Valla solved the problem of human liberty by a psychological determinism.”⁴⁰ The textual evidence for this is taken from Valla’s words in passage G:

just as God “created the wolf fierce, the hare timid . . . so he generated some men hard of heart, others soft, he generated one given to evil, the other to virtue, and further he gave a capacity of reform to one and made another incorrigible.” *The individual’s “inborn character” will determine voluntary behavior.*⁴¹

For reasons to be given shortly, I think Trinkaus’s view that Valla’s dialogue opposes libertarian free will is correct. I think Trinkaus goes wrong, however, in describing Valla’s non-libertarianism as a form of *psychological determinism*. Trinkaus bases this view mainly on the part of Valla’s fable in which Apollo says to Sextus that “you, for your inborn character, will do evil” (see passage F). But this will not do as evidence for psychological determinism, for the point of the fable is not that people do what they do on account of their “inborn character” but rather that “all things” (*totum*) are “necessary” (*necessitates*) by virtue of “the will of God” (*voluntatem Dei*). Moreover, Valla even concedes in passage H that humans act willfully although he maintains at the same time that their wills cannot prevail over the will of God (for in saying that “it is not of him that willeth” it is conceded that

³⁷ Trinkaus, “Problem of Free Will,” 60; see also idem, “Introduction,” 153. Luther’s words are: “Laurencius Valla ist der best Walh, den ich mein lebtag gesehn oder erfahren hab. De libero arbitrio bene disputant”; see WA-Abteilung 2 (*Tischreden*) 1:109 (#259).

³⁸ Trinkaus, “Problem of Free Will,” 59.

³⁹ Ibid., 61.

⁴⁰ Ibid., 61.

⁴¹ Ibid., 59 [italics added].

people “willeth”). Given this, it would seem more correct to characterize Valla’s position not as psychological determinism but as *theological* determinism, and more specifically as a theological determinism that allows people to act willfully as opposed to under external coercion.

■ In Defense of Interpretation 3

I now proceed to adduce two main reasons in favor of interpretation 3, and also address one main objection to this view.

Two main reasons in favor of this interpretation are as follows. First, Valla is unequivocal in his affirmation in passage G that although “providence is not the cause of necessity” it is nevertheless the case that “all this whatever it is must be referred to the will of God.” As the context makes clear, by the term “all this” (*totum*) Valla is referring to all things that take place in God’s creation, including in particular human volitional action. By saying that all things “must be referred to the will of God,” Valla seems to be saying that even human volitional action takes place of necessity by virtue of the will of God. Since this is inconsistent with libertarian free will, it seems that Valla is here denying libertarian free will.

And second, it is clear from passage H that Valla’s main objection to Boethius is that Boethius puts the will of human beings in the place of the will of God. Now the view of Boethius that Valla is here criticizing is simply that people have libertarian free will and that this sort of free will can be seen to be consistent with divine foreknowledge via considerations pertaining to metaphysical relations between God and time. Hence, if Valla thinks that Boethius puts the will of human beings in the place of the will of God, this could only mean that Valla takes libertarian free will to be inconsistent with the all-powerful, all-determining will of God. Once again, then, Valla comes out as an opponent of libertarian free will.

One main objection to the present view is as follows. Valla argues (e.g., in passage E) that divine foreknowledge and free will are reconcilable, which might be regarded as an attempt on the part of Valla to avoid determinism. However, and as Valla makes plain in passage H, the point in opposing this idea is not to show that the doctrine of God *per se* is reconcilable with free will but rather that it is “not enough” (*non satis*) to consider this question only by considering divine foreknowledge and without taking into account also “the will” (*voluntate*) of God.

It seems, then, that Trinkaus’s view that Valla’s dialogue opposes libertarian free will is defensible. By way of summary, we can express two main points of *De libero arbitrio* in the following theses: firstly, that divine foreknowledge in conjunction with the divine will entails that all things take place necessarily by virtue of the will of God; and secondly, that human action is still something willful as opposed to being subject to external coercion. In what follows I shall refer to the combination of these two theses as “Valla-style determinism.”

Luther's Familiarity with Valla's *De libero arbitrio*

At an early stage in his theological career, in thesis 13 of his *Disputatio Heidelbergae habita* (1518), Luther defended the thesis that “after the Fall” (*post peccatum*, literally “after sin”) “free will . . . exists in name only.”⁴² This thesis was condemned by Leo X in his papal bull *Exsurge Domine* (1520).⁴³ In responding to Leo X’s condemnation, in article 36 of his *Assertio omnium articulorum* (1520), Luther revised and radicalized his earlier thesis, saying now that he “should have simply said ‘free will is a fiction among real things, a name with no reality’” and that “all things occur by absolute necessity.”⁴⁴ Erasmus criticized this radicalized thesis in his *De libero arbitrio diatribe sive collatio* (1524),⁴⁵ to which Luther replied with his *De servo arbitrio*, in which he reiterated and expanded on his view that free will is a fiction and that all things take place by necessity. So content was Luther with his response to Erasmus that he in later years spoke of *De servo arbitrio* as one of his very best theological books.⁴⁶

In the remainder of this paper I will seek to vindicate Trinkaus’s previously mentioned thesis that Luther’s position in *De servo arbitrio* was anticipated by Valla’s *De libero arbitrio* on several key points. As was noted earlier, this claim does not seem to have had much of an impact in the literature. Thus, in well-known overviews of the historical-theological background of Luther’s views on free will, Valla’s dialogue is often not mentioned at all or else mentioned mostly in passing.⁴⁷ If we turn to specialist studies on *De servo arbitrio*, things are not much different. For example, in Gerhard Rost’s major study, *Der Prädestinationsgedanke in der Theologie Martin Luthers*, Valla’s work merits no attention at all.⁴⁸ In McSorley’s meticulously researched *Luthers Lehre vom unfreien Willen* (quoted in the foregoing), the standard modern study of *De servo arbitrio*, Valla’s *De libero*

⁴² WA 1:354 (“Liberum arbitrium post peccatum res est de solo titulo”). The English translation is taken from *Career of the Reformer I* (ed. Harold J. Grimm; vol. 31 of *Luther’s Works*; Philadelphia: Muhlenberg, 1957) 48.

⁴³ For the bull, see Heinrich Denzinger, *Enchiridion symbolorum definitionum et declarationum de rebus fidei et morum* (33rd ed.; Freiburg im Breisgau: Herder, 1965) 1486.

⁴⁴ WA 7:94–151 (“sed simpliciter debui dicere ‘liberum arbitrium est figmentum in rebus seu titulus sine re,’ ” “sed omnia . . . de necessitate absoluta eveniunt”). For the English translation, see “Martin Luther’s Assertion,” in *Controversies* (ed. Trinkaus), 301–10.

⁴⁵ See Erasmus, *De libero arbitrio*, 24.

⁴⁶ WA 8:99.

⁴⁷ See, e.g., Heiko Oberman’s *Forerunners of the Reformation: The Shape of Late Medieval Thought* (New York: Holt, Rinehart and Winston, 1966) and *Werden und Wertung der Reformation. Vom Wegestreit zum Glaubenskampf* (Tübingen: Mohr, 1977); Jaroslav Pelikan’s *Reformation of Church and Dogma (1300–1700)* (vol. 4 of *The Christian Tradition: A History of the Development of Doctrine*; Chicago: University of Chicago Press, 1983); Bernhard Lohse’s *Luthers Theologie in ihrer historischen Entwicklung und in ihrem systematischen Zusammenhang* (Göttingen: Vandenhoeck & Ruprecht, 1995); and Alister McGrath’s *Iustitia Dei* (2nd ed.; Oxford: Oxford University Press, 1998).

⁴⁸ See Gerhard Rost, *Der Prädestinationsgedanke in der Theologie Martin Luthers* (Berlin: Evangelische Verlagsanstalt, 1966).

arbitrio is mentioned only very briefly, and is described as “a work in which the natural freedom of man’s will—in the traditional Catholic sense—is *defended*.⁴⁹ Linwood Urban’s “Was Luther a Thoroughgoing Determinist?” (1971)—one of the most detailed studies of the historical-theological background of *De servo arbitrio* after McSorley’s book—does not mention Valla’s dialogue at all,⁵⁰ nor does Bengt Hägglund’s oft-cited “Die Frage der Willensfreiheit in der Auseinandersetzung zwischen Erasmus und Luther.”⁵¹ One of the more recent scholarly studies of *De servo arbitrio*, Robert Kolb’s *Bound Choice, Election, and the Wittenberg Theological Method* (2005), contains a brief reference to “Valla’s rejection of the freedom of the will,” but only for the purpose of supporting the claim that “the junior professor from Wittenberg did not invent the issue of the freedom of the will.”⁵² Apart from this, there is no discussion of the relation between Valla and Luther in Kolb’s study either.⁵³ Instead, accounts of the historical-theological background of Luther’s views on free will typically focus on the anti-Pelagian writings of Augustine, which are taken to have exerted a major “positive” influence on Luther, and on Pelagian or semi-Pelagian ideas of medieval nominalists like Gabriel Biel, which are taken to have exerted a major “negative” influence on Luther, in the sense that they provided the position against which Luther reacted critically.⁵⁴ At the same time, however, it is recognized that while the anti-Pelagian writings of Augustine support Luther’s attack on Pelagian or semi-Pelagian ideas, they do not urge anything like the deterministic denial of free will that (as we shall see shortly) we find in *De servo arbitrio*. For this reason the deterministic denial of free will in *De servo arbitrio* has often been viewed as a novel development in the theology of Luther, with little historical precedent.⁵⁵

⁴⁹ McSorley, *Luther*, 326; idem, *Luthers Lehre*, 300 [italics in original].

⁵⁰ See Linwood Urban, “Was Luther a Thoroughgoing Determinist?,” *JTS* 22 (1971) 113–39.

⁵¹ See Bengt Hägglund, “Die Frage der Willensfreiheit in der Auseinandersetzung zwischen Erasmus und Luther,” in *Renaissance–Reformation. Gegensätze und Gemeinsamkeiten* (ed. August Buck; Wolfenbütteler Arbeitskreis für Renaissanceforschung 5; Wiesbaden: Harrassowitz, 1984) 181–95.

⁵² Robert Kolb, *Bound Choice, Election, and the Wittenberg Theological Method: From Martin Luther to the Formula of Concord* (Luther Quarterly Books; Grand Rapids, Mich.: Eerdmans, 2005) 12, 294 n. 4.

⁵³ In addition to the absence of discussion of Valla in the above-mentioned English and German studies, there is also a similar absence in Swedish studies of *De servo arbitrio*. For a summary of twentieth-century Swedish approaches to *De servo arbitrio*, see Anders Kraal, “Free Choice, Determinism, and the Re-evaluation of Luther in Twentieth-Century Swedish Theology,” *ST* 67 (2013) 28–42.

⁵⁴ See, e.g., Oberman, *Werden und Wertung*, 64–110; Rost, *Prädestinationsgedanke*, 89–131; McSorley, *Luthers Lehre*, 177–84; Hägglund, “Willensfreiheit,” 181–85; McGrath, *Iustitia Dei*, 188–202; and Pelikan, *Reformation of Church and Dogma*, 4:138–40. The distinction between “positive” and “negative” influences on Luther’s theology can be traced back to Hartmann Grisar’s *Luther* (trans. E. M. Lamond; 6 vols.; London: Paul, Trench, Trübner, 1913–1917) 1:133–64.

⁵⁵ See, e.g., McSorley, *Luthers Lehre*, 239; Pelikan, *Reformation of Church and Dogma*, 4:141; McGrath, *Iustitia Dei*, 202–3; Urban, “Was Luther a Thoroughgoing Determinist?,” 116–17; and Kolb, *Bound Choice*, 28–29.

As far as I can see, this seeming lack of attention to Valla in studies of the historical-theological background of *De servo arbitrio* can only be due to a failure to appreciate the extent to which Luther was acquainted with, and highly valued, Valla's *De libero arbitrio*. Accordingly, my first task in seeking to rehabilitate Trinkaus's thesis will be to provide evidence for Luther's acquaintance with and high regard for Valla's *De libero arbitrio* prior to his composition of *De servo arbitrio* in 1525.⁵⁶

Contrary to what Trinkaus suggests, the main evidence does not derive from Luther's *Tischreden* remark that "[Valla] argued well about free will," for this remark is from 1532 and so could—for all we know—be based on a post-1525 reading of Valla. Nor does the evidence derive from Erasmus's claim in *De libero arbitrio diatribe sive collatio* that "[Valla] almost seems to agree" with Luther,⁵⁷ or from Luther's concession of this claim in *De servo arbitrio* ("on my side there is just Wycliffe and Laurentius Valla"⁵⁸); for neither Erasmus nor Luther reproduce any content from Valla's dialogue in the context of their debate and so it cannot be known on the basis of these remarks whether Luther was familiar with the argument of Valla's dialogue at this stage. What we need, rather, is evidence of an acquaintance, on the part of Luther, with Valla's *De libero arbitrio* at some point prior to 1525, and preferably also some indication that Luther understood Valla as opposing a libertarian doctrine of free will. Such evidence, I suggest, can be gleaned from the *Loci communes* (1521) of Philip Melanchthon, Luther's close collaborator. Melanchthon's *Loci communes* was based on Melanchthon's lectures at Wittenberg University in 1519–1520.⁵⁹ The first Lutheran dogmatics ever written, it quickly became immensely influential in Germany. It was also greatly admired by Luther, to such an extent that Luther, in *De servo arbitrio*, praises the book as an "unsurpassed volume on the doctrines of theology."⁶⁰ Interestingly, the first chapter of this book is devoted to the question of "free will" (*liberum arbitrium*), and early on in his discussion Melanchthon states, boldly and triumphantly, that "Valla . . . refuted the position of the Schools on free will."⁶¹ This claim makes it very probable that not only Melanchthon but also other Wittenberg Reformers, including Luther, were acquainted with Valla's *De libero arbitrio* already in the early 1520s (and hence

⁵⁶ *De servo arbitrio* was written in the fall of 1525, and published in late December of the same year.

⁵⁷ Trinkaus, "Introduction," 153. For the Latin, see Erasmus, *De libero arbitrio*, 24 ("propemodum videtur cum his sentire").

⁵⁸ Luther, *Bondage of the Will*, 107. (Trinkaus's translation is too strong: "one, Wyclife, and another, Lorenzo Valla, . . . is my entire authority"; see Trinkaus, "Problem of Free Will," 60. The Latin is: "Ex mea vero parte unus Vuicleff et alter Laurentius Valla"; WA 18:640.)

⁵⁹ For the historical background and early reception of *Loci communes*, see Clyde L. Manschreck, *Melanchthon: The Quiet Reformer* (New York: Abingdon, 1958) 82–89.

⁶⁰ WA 18:601; Luther, *Bondage of the Will*, 62–63 ("de locis Theologicis invictum libellum").

⁶¹ See Philip Melanchthon, *Loci communes theologici*, in *Melanchthon and Bucer* (ed. William Pauk; LCC 19; London: SCM Press, 1969) 3–152, at 26 [italics added]; and, for the Latin, *Loci communes* 1521 (ed. Horst Georg Pöhlmann; Gütersloh: Gütersloher Verlagshaus, 1993) 34 ("Vallam . . . scholarum sententiam de libero arbitrio confutarit").

prior to Luther's composition of *De servo arbitrio* in 1525), that they esteemed it highly, and that they understood it as arguing against a libertarian doctrine of free will (i.e., against what they took to be the position of the "Schools").⁶²

■ Valla-Style Determinism in *De servo arbitrio*

I now proceed to argue that Luther's *De servo arbitrio* endorses what I have previously termed Valla-style determinism, i.e., the theses that divine foreknowledge in conjunction with the divine will entails that all things take place necessarily by virtue of the will of God, and that human action is nevertheless willful rather than subject to external coercion.

I start with the thesis that divine foreknowledge in conjunction with the divine will entails that all things take place necessarily by virtue of the will of God. To see that Luther endorses this thesis in *De servo arbitrio*, I begin by noting that he endorses the subordinate claim that all things take place of necessity by the will of God, which we see, for example, in his claim that "[God] does all things according to His own immutable, eternal and infallible will,"⁶³ and in particular in his claim that "all we do, however it may appear to us to be done mutably and contingently, is in reality done necessarily and immutably in respect to God's will."⁶⁴ Furthermore, that it is divine foreknowledge in conjunction with the divine will that enables us to see that all things take place of necessity by virtue of the will of God is also clearly affirmed by Luther, in particular in the following well-known passage:

If He wills what He foreknows, His will is eternal and changeless, because His nature is so. From which it follows, by resistless logic, that all we do, however it may appear to us to be done mutably and contingently, is in reality done necessarily and immutably in respect to God's will. . . . Since, then, His will cannot be impeded, what is done cannot but be done where, when, how, as far as, and by whom, He foresees and wills.⁶⁵

⁶² It may be of interest to note that David M. Whitford has recently shown that Luther in the spring of 1520 made a careful study of Valla's *De Donatione Constantini* (which exposed the *Donation of Constantine* as a forgery) and thereby came to believe that the pope was the antichrist; see Whitford, "The Papal Antichrist: Martin Luther and the Underappreciated Influence of Lorenzo Valla," *Renaissance Quarterly* 61 (2008) 26–52. Although this does not shed any direct light on Luther's relation to *De libero arbitrio*, it is evidence of Luther's high regard for Valla at this stage and of Valla's importance for the radicalization of Luther's thought.

⁶³ Luther, *Bondage of the Will*, 80; WA 18:615 ("[Deus] omnia incommutabili et aeterna infallibilique voluntate et praevidet et proponit et facit").

⁶⁴ Luther, *Bondage of the Will*, 80–81; WA 18:615 ("omnia quae facimus, omnia quae fiunt, etsi nobis videntur mutabiliter et contingenter fieri, revera tamen fiunt necessario et immutabiliter, si Dei voluntatem spectes").

⁶⁵ Luther, *Bondage of the Will*, 80–81; WA 18:615–16 ("Si volens praescit, aeterna est et immobilis [quia natura] voluntas, si praesciens vult, aeterna est et immobilis [qui natura] scientia. Ex quo sequitur irrefragabiliter, omnia quae facimus, omnia quae fiunt, etsi nobis videntur mutabiliter et contingenter fieri, revera tamen fiunt necessario et immutabiliter, si Dei voluntatem spectes. Voluntas

We see in this passage that Luther takes the necessity of events to follow not simply from the claim that “[God] foreknows,” but, rather, from the claims that “[God] wills what he foreknows” and that “[God’s] will cannot be impeded.” As is the case with Valla, then, Luther’s idea appears to be that it is the conjunction of divine foreknowledge and the divine will that enables us to see that all things take place of necessity by virtue of the will of God.

Not all interpreters read the above passage in the presently proposed way, however. McSorley, for example, takes the passage to urge the necessity of events from divine foreknowledge apart from considerations pertaining to the divine will. More precisely, he takes Luther to be arguing that the necessity of events follows from the two premises “God foreknows all things” and “whatever God foresees and foreknows must happen necessarily.”⁶⁶ A comparison of this reading with what Luther actually says in the passage makes it clear that this reading does not get the argument right, however, for Luther clearly makes use of considerations pertaining to the divine will in making his inference. A second alternative reading, proposed by Urban, is sensitive to the fact that Luther’s argument involves considerations pertaining not only to divine foreknowledge but also to the divine will, but seeks to make sense of this by taking Luther to be proposing two equivalent arguments in the passage, the first one consisting in the inference of the proposition “the event necessarily takes place” from the two premises “if God wills an event, then the event necessarily takes place” and “God necessarily wills the event,” and the second one consisting in the inference of the proposition “*p* is necessarily true” from the two premises “if God knows *p*, then *p* is necessarily true” and “God necessarily knows *p*” (for any proposition *p*).⁶⁷ But this reading fails to recognize that Luther argues for the necessity of events on the basis of the conjunction of the divine will and divine foreknowledge, not from divine foreknowledge or the divine will considered in isolation from each other. A third alternative reading, recently proposed by Kolb, involves distinguishing between what is expressed in the relevant passage and what Luther intended to express. Talk of the necessity of events in the passage is said to represent an “experiment” on the part of Luther “in expressing his views,”⁶⁸ but what Luther intended to express is said to be “what it means that God continues to be Creator with absolute and unconditioned power as befits a Creator.”⁶⁹ This reading need not contradict the present understanding of the passage, for it could be maintained that the necessity of events is part of what Luther took God’s status as Creator to involve. On the other hand, this reading could also be understood as suggesting that Luther was not inferring the necessity

enim Dei efficax est, quae impediri non potest, cum sit naturalis ipsa potentia Dei, Deinde sapiens, ut falli non possit. Non autem impedita voluntate opus ipsum impediri non potest, quin fiat loco, tempore, modo, mensura, quibus ipse et praevidet et vult”).

⁶⁶ McSorley, *Luther*, 311; idem, *Luthers Lehre*, 286.

⁶⁷ Urban, “Was Luther a Thoroughgoing Determinist?,” 115–16.

⁶⁸ Kolb, *Bound Choice*, 26.

⁶⁹ Ibid., 52.

of events from the conjunction of the divine will and divine foreknowledge, but was merely expressing what he took God's status as Creator to amount to. If understood this way, Kolb's reading does indeed conflict with the present understanding of Luther's argument, since Luther is presently being taken to be making a genuine inference in the relevant passage. There are at least two disadvantages to Kolb's interpretation (as presently construed), however. First, the interpretation is grounded in a claim for which no adequate support is provided (and, it seems, for which no adequate support can be provided), namely that in saying that all things take place of necessity Luther intended to express what it means for God to be the Creator. And second, the interpretation does not harmonize well with what Luther actually says in the passage, for in the passage Luther talks of the necessity of events as something that "follows" (*sequitur*) from the divine will in conjunction with divine foreknowledge, and nowhere suggests that this is a way of expressing what it means for God to be the Creator. I conclude, then, that an understanding of the relevant passage that accords with Valla-style determinism does better justice to what Luther actually says in the passage than do the alternative readings considered above.

I proceed next to argue that *De servo arbitrio* appears to endorse the further thesis of Valla-style determinism, i.e., that human action is willful rather than subject to external coercion. This thesis might at first seem to conflict with Luther's deterministic line of reasoning in connection with the argument quoted in the foregoing, especially since Luther, immediately after having urged this argument, goes on to claim that the argument "knocks 'free-will' flat, and utterly shatters it."⁷⁰ The conflict appears to be only apparent, however, for in denying that people have free will, Luther makes it clear that he is not denying that human action is willful, but is using the term "free will" (*liberum arbitrium*) in what he calls the "natural force" (*natura vocabuli*) of the term, which he understands in a libertarian sense as "a power of freely turning in any direction, yielding to none and subject to none."⁷¹ It is accordingly in this specifically libertarian sense of "free will" that Luther claims that his argument knocks free will flat, and not in the sense of willful as opposed to externally coerced action.

That Luther does not intend to deny that human action is willful and not subject to external coercion is something about which Luther is explicit:

⁷⁰ Luther, *Bondage of the Will*, 80; WA 18:615 ("sternitur et conteritur penitus liberum arbitrium").

⁷¹ Luther, *Bondage of the Will*, 105; WA 18:637 ("libere possit in utrumque se vertere, neque ea vis ulli caedat vel subiecta sit").

I said “of necessity”; I did not say “of compulsion”; I meant, by a necessity, not of *compulsion*, but of what they call *immutability*. That is to say: a man without the Spirit of God does not do evil against his will, under pressure, as though he were taken by the scruff of the neck and dragged into it, like a thief or footpad being dragged off against his will to punishment; but he does it spontaneously and voluntarily.⁷²

Some commentators have concluded, on the basis of this and similar passages, that *De servo arbitrio* does not mean to deny free will after all.⁷³ As Urban points out, however, this is a mistake, for Luther does not equate “free will” with acting willfully as opposed to under external coercion.⁷⁴

It seems, then, that we are justified in regarding Luther as in full agreement with Valla not only in that all things, including human actions, take place of necessity by virtue of the will of God, but also in that human action is willful rather than subject to external coercion.

■ The Relative Importance of Valla vis-à-vis Augustine and Wyclif

In the foregoing I have argued that Valla-style determinism surfaces in Luther’s *De servo arbitrio* and that it is very probable that Luther was familiar with Valla’s *De libero arbitrio* prior to his composition of *De servo arbitrio* in 1525. Against this it might be said that Erasmus claims in his *De libero arbitrio diatribe sive collatio* that not only Valla but also John Wyclif held Luther’s view, and that Luther concedes this in *De servo arbitrio*, adding also Augustine to the list.⁷⁵ This, it might be thought, indicates that Augustine and Wyclif may have been equally important predecessors of Luther’s determinism in *De servo arbitrio* as Valla. In this last section I seek to underscore the relative importance of Valla vis-à-vis Augustine and Wyclif by arguing that neither Augustine nor Wyclif espouse the distinctive claim of Valla-style determinism (later endorsed by Luther) that the necessity of all events follows from the divine will in conjunction with divine foreknowledge.

We start with Augustine. The *locus classicus* for theological determinism in Augustine is *De civitate Dei* 1.5.9–10.⁷⁶ Augustine here argues that divine

⁷² Luther, *Bondage of the Will*, 102 [italics in original]; WA 18:634 (“Necessario vero dico, non coakte, sed ut illi dicunt, necessitate immutabilitatis, non coactionis, hoc est, homo cum vacat spiritu Dei, non quidem violentia, velut raptus obtorto collo, nolens facit malum, quemadmodum fur aut latro nolens ad poenam ducitur, sed sponte et libenti voluntate facit”).

⁷³ See, e.g., Philip S. Watson, “The Lutheran Riposte,” in *Luther and Erasmus: Free Will and Salvation* (ed. Philip S. Watson and E. Gordon Rupp; LCC 17; Philadelphia: Westminster, 1969) 12–28, at 25–26. For an account of Watson’s subsequent recognition of the inadequacy of this interpretation, see Kraal, “Re-evaluation of Luther,” 36–37.

⁷⁴ Urban, “Was Luther a Thoroughgoing Determinist?,” 113–14, 126–30.

⁷⁵ See Erasmus, *De libero arbitrio*, 24; and Luther, *Bondage of the Will*, 107; WA 18:640.

⁷⁶ See Augustine, *The City of God against the Pagans* (trans. William M. Green; 7 vols.; Loeb Classical Library 412; Cambridge, Mass.: Harvard University Press, 1963) 2:167–87.

foreknowledge (*praescientia Dei*) is compatible with human free will (*libera hominis voluntate*), and in so arguing he allows that divine foreknowledge entails that there is in God's mind "a definite pattern of causation" (*omnium ordo causarum*)⁷⁷ according to which all events must unfold, and, in line with this, that "it is necessary for something to be as it is, or happen as it does" (*necessere esse ut ita aliquid vel ita fiat*).⁷⁸ These things, Augustine thinks, are all compatible with free will. Although there is dispute as to the proper interpretation of *De civitate Dei* 1.5.9–10, many commentators—including myself—take Augustine here to espouse a version of theological determinism that carries commitments to a non-libertarian conception of free will.⁷⁹ Does Augustine's position, thus understood, differ in any significant way from Valla-style determinism? It does. For an important difference is that unlike Valla (and Luther), Augustine does not infer the necessity of all events from the conjunction of divine foreknowledge and the divine will, but from divine foreknowledge per se. Hence, Augustine's version of theological determinism is not as close to Luther's as is Valla's.

We turn next to Wyclif. Although there is no evidence that Luther studied Wyclif's writings, we know that after John Eck at the Leipzig Debate in 1519 accused Luther of following the errors of Wyclif condemned by the Council of Constance, Luther immediately took to studying Wyclif's views as they are presented in the acts of this council.⁸⁰ In so doing, he would have come across a seemingly deterministic thesis attributed by the council to Wyclif: "all things that happen, happen from necessity" ([o]mnia, quae eveniunt, absolute necessario eveniunt).⁸¹ In his *Assertio omnium articulorum* from the following year, Luther publically sided with this claim of Wyclif's, saying that "no one has it within his control to intend anything, good or evil, but rather, as was rightly taught by the article of Wyclif which was condemned at Constance, all things occur by absolute necessity."⁸² It is accordingly clear that Luther regarded his view in *Assertio omnium articulorum* (and later in *De servo arbitrio*), that all things take place by necessity to have been anticipated by Wyclif. Moreover, Luther would have known from the acts of the Council of Constance that Wyclif's view was grounded in considerations pertaining to divine foreknowledge, for Wyclif is also said to have held the view that "if Paul is foreknown as damned, he cannot truly repent; that is,

⁷⁷ *Ibid.*, 2:174–75.

⁷⁸ *Ibid.*, 2:182–83.

⁷⁹ See, e.g., John M. Rist, "Augustine on Free Will and Predestination," *JTS* 2/20 (1969) 420–47; Katherin A. Rogers, "Augustine's Compatibilism," *ReLS* 40 (2004) 415–35; and Paul Helm, "The Augustinian-Calvinist View," in *Divine Foreknowledge: Four Views* (ed. James K. Beilby and Paul R. Eddy; Downers Grove, Ill.: InterVarsity, 2001) 157–89.

⁸⁰ For a vivid account of these events, see Roland Bainton, *Here I Stand: A Life of Martin Luther* (New York: Mentor, 1955) 87–92.

⁸¹ See "Articuli Ioannis Wicleff ex CCLX select," in *Decrees of the Ecumenical Councils* (ed. Norman P. Tanner; 2 vols; Washington, D.C.: Georgetown University Press, 1990) 1:422 (art. 56).

⁸² WA 7:146 ("Quia nulli est in manu sua quippiam cogitare mali aut boni, sed omnia [ut Viglephi articulus constantiae damnatus recte docet] de necessitate absoluta eveniunt").

he cannot cancel the sin of final impenitence by contrition, or be under obligation not to have sin.”⁸³ Nevertheless, the distinctive claim of Valla-style determinism, that the necessity of events follows not from divine foreknowledge per se but from divine foreknowledge in conjunction with the divine will, is not part of Wyclif’s determinism as put forth in the acts of the Council of Constance. So this is not a claim that Luther could have derived from Wyclif.⁸⁴

We see then that although Luther took Augustine and Wyclif (in addition to Valla) to be forerunners of his position in *De servo arbitrio*, he would not have found in either of these writers a position nearly as close to his own as that of Valla in *De libero arbitrio*. This appears to be strong evidence for the relative importance of Valla’s *De libero arbitrio*, vis-à-vis Augustine and Wyclif, for an understanding of the historical-theological background of Luther’s *De servo arbitrio*.

■ Summary

In the foregoing I have argued that Valla’s *De libero arbitrio* anticipates Luther’s *De servo arbitrio* on several key points. Like Luther, Valla appears to hold that divine foreknowledge in conjunction with the divine will entails that all things—including human actions—take place of necessity by virtue of the will of God. And like Luther, Valla at the same time appears to hold that human actions are willful rather than subject to external coercion. If my arguments for these conclusions are sound, it would seem that any satisfactory account of the historical-theological background of Luther’s *De servo arbitrio* would do well to take Valla’s *De libero arbitrio* into serious account.

⁸³ “Articuli Ioannis Wicleff ex CCLX select,” 1:422 (art. 58) (“Sic Paulus praescitus non potest vere poenitere, hoc est contritione peccatum finalis impoenitentiae delere, aut ipsum non habere debere”).

⁸⁴ According to recent work on Wyclif, Wyclif’s dictum that “all things that happen, happen from necessity” is not an endorsement of determinism at all, for the “necessity” here at play is conditioned on the activities of libertarian free will; see Anthony Kenny, *Wyclif* (Oxford: Oxford University Press, 1985) 31–41; Stephen E. Lahey, *John Wyclif* (Oxford: Oxford University Press, 2009) 169–82; and, for an endorsement of libertarianism on the part of Wyclif, his *On Universals* (trans. Anthony Kenny; Oxford: Clarendon, 1985) 155–66 (*Tractatus de Universalibus XIV*). Thus, from the point of view of modern scholarship, Luther was mistaken in associating his denial of free will with Wyclif.

Absent but Accounted for: A New Approach to the *Copper Scroll*

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Why would Pausanias have doubted the royal lists of Arcadia or Achaea? . . . No, he did not doubt these imaginary lists, which had duped so many people, beginning with their own creator. This historiography of sincere counterfeiters is so strange that it is worth pursuing for a moment. We will see that if we pursue this problem of the counterfeiter, it becomes impossible to distinguish between the imaginary and the real. (Paul Veyne, *Did the Greeks Believe in Their Myths?*)¹

Like so much of early Jewish literature, the strange Dead Sea scroll known as the *Copper Scroll* (3Q15) remains suspended somewhere between reality and fantasy. Even before scholars had fully unrolled its copper plates in 1956, they were able to discern that it recorded a list of treasures, but there soon broke out a dispute over whether this treasure was real or not. Some scholars felt that the treasure was too large to be real and that it was a figment of its author's imagination. They sought the origins of the scroll in ancient Jewish legend. Others believed the treasure to be quite plausible, probably connected to the Temple in some way. The scroll itself, however, revealed nothing that might settle the issue in one direction or the other. In what follows, I wish to explore a way beyond this impasse, not resolving whether the treasure was real or not, but suggesting how it could be both at the same time. Such a claim will seem contradictory, but it is my hope over the course of this essay not just to establish the possibility of such a position but to demonstrate that such a

¹ Paul Veyne, *Did the Greeks Believe in Their Myths? An Essay on the Constitutive Imagination* (trans. Paula Wissig; Chicago: University of Chicago Press, 1983) 102–33. I would like to thank Mira Balberg, Hindy Najman, and Mira Wasserman for their feedback in response to earlier versions of this essay, and James Redfield for careful and discerning editorial assistance.

reading is actually more consistent with the evidence we have than any reading that imposes an either/or choice between reading the treasure as fictional or genuine.

Part of what motivates this argument is the fact that both of the aforementioned readings of the *Copper Scroll* have strong arguments in their favor. By the time of the initial announcement of the scroll's discovery in June 1956, the earlier of the two views (that the treasure was imaginary) had already taken shape, finding a champion in Józef Tadeusz, who had been entrusted with the scroll's official publication.² In Milik's view, the immense quantity of treasure, an estimated 200 tons of gold and silver, defied plausibility, but there was another reason he was skeptical. By the time of the scroll's composition in the first or early second century C.E., some Jews had come to believe that the ark of the covenant and other cultic objects known from the Bible's description of the Mosaic cult had not been destroyed with the Temple in 586 B.C.E. but had been concealed underground or in a cave. Noting that the destruction of the Second Temple in 70 C.E. revived the telling of this story, Milik believed the *Copper Scroll* was an offshoot of its fantastical claims.

Nothing in the scroll makes explicit a connection with the hidden ark legend—it never mentions the ark or angelic intervention or the other biblical and supernatural elements that appear in the hidden ark story—but there was intriguing circumstantial evidence to support Milik's position: parallels with later stories of legendary treasure. The most intriguing example, republished by Milik, is a Hebrew text known as *Masseket Kelim* (Tractate of Vessels) that records a detailed inventory of legendary Temple treasures hidden in the time of the first Temple's destruction.³ *Masseket Kelim* was composed in Late Antiquity or the Middle Ages, long after the *Copper Scroll*, but resembles the scroll in striking ways. It records a detailed list of cultic treasure. At one point, it uses a similar toponym to describe one of the hiding places, and, most remarkably, it actually refers to a "copper scroll" used by the priestly guardians of the Temple to record the treasure. How to account for its resemblance to the *Copper Scroll* remains a mystery, but for Milik, *Masseket Kelim*, along with Arabic examples that he cites, established that the kind of reading he was proposing for the scroll—a detailed list of imagined sacred treasure—had demonstrable literary parallels from the Near East and even in Hebrew.⁴

As the scholar charged with official publication of the scroll, Milik wrote with much authority, and he had the endorsement of other important scholars like

² J. T. Milik, "Le rouleau de cuivre de Qumrân (3Q15). Traduction et commentaire topographique," *RB* 66 (1959) 321–57.

³ J. T. Milik, "Notes d'épigraphie et de topographie palestiniennes," *RB* 66 (1959) 550–75.

⁴ Recent scholarship suggests that the identity and locations of the vessels listed in *Masseket Kelim* were derived through creative inferences from biblical sources. See James Davila, "Scriptural Exegesis in the Treatise of the Vessels, a Legendary Account of the Hiding of the Temple Treasures," in *With Letters of Light: Studies in the Dead Sea Scrolls, Early Jewish Apocalypticism, Magic, and Mysticism in Honor of Rachel Elior* (ed. Daphna Arbel and Andrei Orlov; Berlin: de Gruyter, 2011) 45–61.

Sigmund Mowinckel and Frank Moore Cross.⁵ Almost immediately, however, there emerged a second approach to the treasure, introduced by Karl Georg Kuhn and made popular by John Allegro, a British scholar who oversaw the effort to open the scroll.⁶ As Allegro noted, the scroll does not contain any kind of narrative, much less one that connects the treasure to a legendary story like the hidden ark myth. Nor are there any discernible myth-like elements in the list of treasures themselves and no mention of the ark or other cultic objects kept in the holy of holies. Moreover, while it is true that the amount of treasure seems immense, Allegro argued that it was not as large as scholars believed it to be. Because no scholar knew the precise weight of the unit of mass used in the scroll, the “talent,” there was a credible argument to be made for lowering the total value of the treasure in a way that made it more plausibly sized. Thus, whereas previous scholars posited a treasure worth hundreds of millions of dollars, Allegro placed its value at closer to a million dollars. Scaled down in this way, the deposits listed in the scroll were comparable to treasure hoards found in Palestine, including a hoard found at Qumran itself.⁷ Concluding that the treasure was real, Allegro suggested it likely originated from the Second Temple, having been hidden by the Zealots during the revolt against the Romans, and grew so convinced of its existence that, using the scroll as his guide, he undertook several expeditions to retrieve it.⁸

Although Allegro’s position was rejected by the more established scholars responsible for its official publication, it has since become the more widely embraced of the two positions, or so suggests a poll taken at a *Copper Scroll* conference held at the University of Manchester in 1996, where a majority of the scholars present agreed that the treasure was probably real.⁹ Over the decades scholars have offered different hypotheses about why and when the treasure was concealed, connecting it to almost every known group or sect in a position to hide such a treasure in the Judean wilderness. Many believe it came from the Second Temple in Jerusalem, but some hold that it was the property of the Dead Sea sect, believed to have settled not far from the cave where the scroll was found, and a few outliers tie the scroll and its treasure to a supposed effort to rebuild the Temple

⁵ Sigmund Mowinckel, “The Copper Scroll—An Apocryphon?” *JBL* 76 (1957) 261–65; Frank Moore Cross, Jr., *The Ancient Library of Qumran and Modern Biblical Studies* (Garden City, N.Y.: Doubleday, 1958) 21–25.

⁶ Karl Georg Kuhn, “Les rouleaux de cuivre de Qumran,” *RB* 61 (1954) 193–205; John Allegro, *The Treasure of the Copper Scroll* (London: Routledge & Kegan Paul, 1969).

⁷ For the coin hoard discovered at Qumran, see Marcia Sharabani, “Monnaies de Qumran au Musée Rockefeller de Jérusalem,” *RB* 87 (1980) 274–84.

⁸ For his account of his effort to find the *Copper Scroll* treasure, see John Allegro, *Search in the Desert* (Garden City, N.Y.: Doubleday, 1964).

⁹ George Brooke, “Introduction,” in *Copper Scroll Studies* (ed. George Brooke and Philip Davies; Sheffield: Sheffield, 2002) 1–9, at 8.

in the period of the Bar Kokhba revolt.¹⁰ As different as these theories are, what unites them is the conviction that the scroll records a genuine treasure, a conviction that has led to further attempts to demonstrate that the amount of treasure listed in the scroll was plausible for that historical era, not as large as earlier scholars assumed, and consistent with the size of temple treasures known from Greek and Roman sources.¹¹ By contrast, Milik's position has proven far less influential. It was generally rejected by scholars publishing in the last four decades, and I have not come across any current scholar willing to endorse it.¹²

While the field seems to have settled on Allegro's position, however, the truth is that neither position has definitively refuted the other. Subsequent scholarship may have settled into a consensus that the treasure was authentic, but it is a consensus based on a convergence of educated guesses rather than new data. A fresh look at the two approaches suggests that both are credible options. It is certainly within the realm of historical possibility for such a large treasure to have been concealed from the Romans. Thanks to the work of recent scholars, we know of other cases of large treasure hidden from the Romans, and the historian Josephus suggests that the Jews tried to conceal their wealth in a similar way, hiding it underground and even swallowing some of it in a vain effort to protect it from the Romans (*Jewish War* 5.421; 7.114–115).¹³ However, we also know of cases where a hidden treasure construed to be real turned out to be illusory. A famous example in this regard is

¹⁰ The hypotheses are too numerous to list individually, but we can follow Al Wolters ("The Copper Scroll," *The Dead Sea Scrolls After Fifty Years* [ed. Peter Flint and James VanderKam; 2 vols.; Leiden: Brill, 1998] 302–23, at 309–10) in grouping them into four categories: 1) The treasure belonged to the Qumran community and was concealed by it before 70 C.E. (See Bargil Pixner, "Unraveling the *Copper Scroll* Code: A Study of the Topography of 3Q15," *RevQ* 11 [1983] 323–58; Stephen Goranson, "Sectarianism, Geography and the *Copper Scroll*," *JJS* 43 [1992] 282–87); 2) The treasure belonged to the Temple itself and was concealed by the Zealots or priests sometime before its destruction (In addition to Allegro, see Norman Golb, "The Problem of Origins and Identification of the Dead Sea Scrolls," *Proceedings of the American Philosophical Society* [1980] 1–24); 3) The treasure records undelivered Temple contributions concealed in the period during or after the Temple's destruction (See Manfred Lehmann, "Identification of the Copper Scroll Based on Its Technical Terms," *RevQ* 5 [1964] 97–105); 4) The treasure belonged to the Bar Kokhba rebels, possibly meant for use in a restored Temple (Ernest-Marie Laperrousaz, "Remarques sur l'origine des rouleaux de cuivre découverts dans la grotte 3 de Qumran," *RHR* 159 [1961] 157–72; Ben-Zion Lurie, *Megillat ha-nehoshet mi-midbar Yehudah* [Jerusalem: Kiryat Sefer, 1963]).

¹¹ See, for example, Judah Lefkovits, *The Copper Scroll 3Q15: A Reevaluation. A New Reading, Translation, and Commentary* (Leiden: Brill, 2000) 488, who concludes that the treasure probably only consisted of 60 tons of metal (in contrast to the 200 tons estimated by previous scholars), of which only seventeen percent was gold.

¹² See Wolters, "The Copper Scroll," 311.

¹³ For a parallel from elsewhere in the Roman world, Cassius Dio reports that in order to protect a massive treasure of gold and silver from the emperor Trajan, the king of the Dacians concealed it in a cavity he had dug out beneath the river Saergetia. Although surviving descriptions of this treasure seem exaggerated, historians believe that the treasure was real, and indeed, a sizeable portion of it may have been found in the 16th century. See John Makkay, "The Treasures of Decebelus," *OJA* 14 (1995) 333–45.

a treasure thought to have been hidden by the Carthaginian queen Dido. As the episode is recounted by Roman historians (Tacitus, *Annales* 16.1–3; Suetonius, *Nero* 31.4), a fellow named Caeselius Bassus had a dream which revealed that a massive treasure of gold was hidden on his estate in northern Africa, and the story seemed sufficiently credible to the emperor Nero that he mounted an expedition to find it. Everyone at the time assumed the treasure to be real—indeed, the emperor began spending against it on credit—but no one could find it. Nero's expedition soon discovered that it was a figment of Bassus's imagination, which was drawing from a well-known myth told by the likes of Pompeius Trogus, an historian who lived in the age of Augustus. Neither side in the debate over the *Copper Scroll* treasure has yet to address the complication that the difference between real and mythical treasure was not always clear to ancient treasure-seekers themselves.¹⁴

What prompts the present essay is not just the unresolved nature of the question, however, but my suspicion that these two approaches to the scroll may not be the only options for understanding its composition and function. The sense of sharp opposition between them may partly be due to the personal antagonism that developed between Allegro and Milik themselves, but the antagonism goes beyond the personalities of the scholars involved. At a deeper level, it also reflects a binary mode of thinking resisted by a strain of post-structuralist scholarship, which questioned a sharp opposition between categories like myth and history or the real and the imagined. Through hybrid formulations like “mythistory” and “mythical realities,” such scholars have been arguing for several decades now that what we would classify as myth does not necessarily connote falsity, that what we classify as the real or the historical has qualities of fiction, and that the boundary between the real and the imagined is artificial, porous, and imagined in its own right.¹⁵ A classic example of this kind of argument for our purposes is the work cited at the beginning of this essay, Paul Veyne's *Did the Greeks Believe in their Myths?*, originally published in 1983. Veyne was really asking: did learned Greek minds like the second-century geographer Pausanias really believe the mythological claims that they reported? Veyne's answer reflects this broader scholarly impulse to complicate the distinction between the real and the fictive: the Greeks did believe their myths were true provided one understands that the truth for them was the work of imagination.

¹⁴ This phenomenon of mistaking legendary for real treasure is by no means limited to antiquity. In 2012, two thieves were arrested for breaking into and destroying a 2000 year old well located under a structure from the Crusader period adjacent to the modern-day Israeli city Beth Shemesh. The culprits claimed they were looking for a treasure hidden by one of their forebears, basing themselves on a local legend. See Omri Efraim, “Gold Diggers Ravage Archeological Site,” *ynet news*, accessed September 9, 2013, www.ynetnews.com/articles/0,7340,L-4173467,00.html.

¹⁵ Marshall Sahlins, *Historical Metaphors and Mythical Realities* (Ann Arbor: University of Michigan Press, 1981); Joseph Mali, *Mythistory: The Making of a Modern Historiography* (Chicago: University of Chicago Press, 2003); Peter Bietenholz, *Historia and Fabula: Myths and Legends in Historical Thought from Antiquity to the Modern Age* (Leiden: Brill, 1994).

Given the *Copper Scroll* treasure's ambiguous position between reality and imagination, it would seem ripe for an approach that tries to move beyond this familiar binary, and that is what I aim to develop here: a third approach to the scroll that challenges the opposition between myth and reality that has divided the scholarly discussion thus far. The scroll is only partially preserved. It does not tell us anything about when it was composed or for what purposes, and there is nothing we can do to fill in that basic gap in our knowledge. If we are willing to think beyond the field's sharply polarized options, however, we can at the least expand the interpretive possibilities in ways that go beyond current understandings of the scroll, and as it happens, this approach can also draw the scroll closer to what we know about the larger cultural context in which it was composed. It is not my intention here to try to completely collapse the distinction between the real and the imagined. The unfortunate Bassus learned the hard way that there is a meaningful difference between real and imagined treasure, but that difference is not a straightforward one. As we shall see, in the larger Mediterranean world from which the *Copper Scroll* originates, tangible treasures could be assigned mythical origins while fictional treasures could be counted as historical in ways that place them beyond the either/or options of the real or the imagined. My contention is that this intermediate zone is where the *Copper Scroll* treasure should be placed as well.

My argument here is actually an elaboration, or rather a revision, of an earlier attempt to make sense of the *Copper Scroll*. In an earlier essay, I noted an intriguing parallel for the *Copper Scroll* buried in the writing of the aforementioned Pausanias and his description of a Greek people known as the Messenians who suffer a catastrophe similar to the Babylonian exile when they are defeated by the Spartans and sent into exile.¹⁶ Before their defeat, Pausanias reports, the Messenian leader at the time learned from a prophecy that their survival as a people depended on the preservation of a "secret thing," something which Pausanias never describes clearly except to note that it was inscribed onto a thin metallic foil rolled up like a book (Book 4.26.8). The reference to a hidden metallic scroll caught my attention, calling to mind the *Copper Scroll*, but there was more. The leader buried the mysteries as instructed, and eventually, many generations later, the prophecy came true when another Messenian leader named Epiteles had a vision which led to the rediscovery of the mysteries hidden in a bronze urn buried in a mountain. The story resembles the hidden ark legend, but what is even more interesting about it for our purposes is that it connects this narrative to an object, a metallic scroll also buried in a cave. Here then was an example from the same general period of cultural history that illustrates how the *Copper Scroll* and its treasure could conceivably fall somewhere in between reality and myth. The Messenian mysteries were probably a genuinely existing object at the time Pausanias visited Messenia—both the mysteries themselves and the bronze urn in which they were

¹⁶ Steve Weitzman, "Myth, History and Mystery in the Copper Scroll," in *The Idea of Biblical Interpretation* (ed. Judith Newman, Hindy Najman, and John Kutsko; Leiden: Brill, 2003) 239–55.

found were placed on display and venerated—and yet its origins and significance were rooted in a myth very similar to the hidden ark myth.

That earlier study set me on the path that led to this current argument, but as I now have to acknowledge, the explanatory power of the comparison with the Messenian mysteries is limited. The Messenian mysteries seem similar to the *Copper Scroll* in some respects, but there is nothing in Pausanias's description to suggest that their content corresponds in any way to the list of treasures recorded in the *Copper Scroll*, and nothing to help us understand why someone would record treasure in such a way or the purpose of such a document. I stand by the comparison as an argument against drawing a rigid line between myth and reality in our reading of the *Copper Scroll*, but it did not accomplish much more than that.

For this reason, I want to try again with another comparison drawn from the Greco-Roman world, this time an inscription found on the island of Rhodes that has received renewed attention in recent years, the so-called *Lindian Temple Chronicle*. Now on display in the National Museum of Denmark, the chronicle is inscribed on a large, eight-foot tall stone that was probably originally set up in or near a temple of Athena on the island of Rhodes. A few scholars of early Jewish literature have made reference to the *Lindian Chronicle*—some of its narrative section resembles the narrative in 2 Maccabees¹⁷—but scholars have not compared this document to the *Copper Scroll*. Perhaps one reason for that is the label that scholarship has imposed on it, “temple chronicle,” which suggests that it is a historical narrative. Things might have been different had Classical scholarship embraced a title proposed in the early twentieth century: “a historical inventory of the temple treasures.”¹⁸ Only a part of the *Lindian Chronicle* is a narrative; much of it is a list of treasures, valuable gifts to a temple of Athena that were no longer there by the time the inscription was composed. What does this inventory tell us about the *Copper Scroll*? The chronicle is not exactly parallel to it, and I would not pretend that it can answer all our questions about the scroll, but I would argue that the resemblance has significant interpretive implications, including suggesting an historically plausible way to position the *Copper Scroll* treasure between myth and reality.

¹⁷ See, for example, Robert Doran, *Temple Propaganda: The Purpose and Character of 2 Maccabees* (Washington, D.C.: Catholic Biblical Association of America, 1981) 103–4.

¹⁸ This title was proposed by G. C. Richards in “Timachidas,” *New Chapters in the History of Greek Literature, Second Series* (ed. J. U. Powell and E. A. Barber; Oxford: Oxford University Press, 1929) 76–83, at 76.

■ Accounting for Treasures Real and Imagined

In 1986, a doctoral student named David Wilmot tragically passed away before completing a dissertation on the *Copper Scroll*. Though it remains unfinished, his work lays the groundwork for the analysis proposed here.¹⁹ Schooled in Greek and interested in economic history, Wilmot was able to compare the scroll to other temple inventories found in inscriptions from places like Athens and the island of Delos. Beginning as early as the fifth century B.C.E., the Athenians kept careful records of the treasures deposited in their temple—gold and silver coins, vessels, and other offerings to the gods—and published these records as stone inscriptions. A much-studied example is the inventories of the treasures of Athena kept in what is now known as the Parthenon, inventories which have survived in more than two hundred fragments. The production of such inventories was by no means limited to Athens or other Greek sites, however, and soon spread to Asia Minor, from which inventories survive from the third century B.C.E.²⁰

Wilmot recognized that these inventories share much in common with the *Copper Scroll* in both form and content. Greek temple inventories list the sorts of non-perishable offerings enumerated in the *Copper Scroll* (e.g., gold and silver coins, offering vessels) in a similarly brief and formulaic way. They also sometimes give information about the location of the item in a way that resembles the *Copper Scroll's* efforts to provide information about the location of its items. In Greek inscriptions, treasure inventories are located in temple storehouses, whereas the *Copper Scroll* treasure is scattered in various hiding places in Jerusalem and its vicinity, but even in the more confined space of a Greek temple, a treasure could be hard to find. There could be a lot of items packed together into a room—lined up on shelves, hung from walls, suspended from the rafters—and thus, inventories would sometimes need to provide information about where to find them, providing instructions that recall the kind of directional information provided by the *Copper Scroll*.²¹ On the basis of these similarities, Wilmot identified the *Copper Scroll* as an offshoot of the same administrative genre—not the sort of fictional inventory that Milik had in mind, but an actual accounting document that registers the locations of a genuine treasure removed from the Second Temple.

¹⁹ Wilmot's research was never published, and I could not get access to his unpublished draft, but his argument has been summarized by his student Michael Wise, and through him, we can get some sense of his conclusions. See Michael O. Wise, "David J. Wilmot and the Copper Scroll," *Copper Scroll Studies*, 291–309.

²⁰ Important studies of this material that I have consulted include Jacques Tréheux, *Études sur les inventaires attiques* (Paris: Études d'archéologie classique, 1965); Tullia Linders, *The Treasures of the Other Gods in Athens and their Functions* (Meisenheim am Glan: Hain, 1975); Sara Aleshire, *The Athenian Asklepieion: The People, Their Dedications, and the Inventories* (Amsterdam: J. C. Gieben, 1989); Diane Harris, *The Treasures of the Parthenon and Erechtheion* (Oxford: Clarendon, 1995); Richard Hamilton, *Treasure Map: A Guide to the Delian Inscriptions* (Ann Arbor: University of Michigan Press, 2000).

²¹ Wise, "David J. Wilmot and the Copper Scroll," 302–3.

Wilmot's approach to the scroll might well have revealed other similarities with the temple inventory genre, even conceivably addressing some of the scroll's most elusive features. One of the most stubbornly puzzling aspects of the scroll is its use of Greek letters: seven combinations of two or three letters that appear at the end of entries. For example, the combination of the letters *Kappa-Epsilon-Nu* (KEN) appears in 3Q column 1, line 3 after the clause, "a chest of money and its total, the weight of seventeen talents," or the letters *Sigma-Kappa* (ΣΚ) in column 4, lines 1 and 2 appear after, "in the large cistern which is...in the pillar, of the North...fourteen talents." Scholars have tried various ways of explaining the letters, arguing that they stand for numerals or that they abbreviate the names of priests or dedicants, but no one has convincingly decoded their meaning or function.²²

As it happens, Greek temple inventories offer a potentially illuminating parallel in this regard, for it turns out that they too deploy Greek letters, sometimes spelled out (e.g., *alpha*, *beta*) but usually appearing as simple letters, individually and in combinations of two letters or more. These letters can signify numerals, but they also serve another function, which scholars of the *Copper Scroll* have not considered so far as I know. As Marcus Tod demonstrated in an article published in 1954, such letters often functioned as what he calls "letter-labels" developed to facilitate the ability of temple officials to register and keep track of items within a large inventory.²³ By the fourth century B.C.E., the inventories of some temples had become so packed with offerings, many hard to distinguish from each other, that their guardians had to begin to label them with tags and inscriptions. The individual Greek letters that appear in the inventories seem to refer to these labels: often a single letter (e.g., A, B) would suffice to distinguish an object within a series of similar objects, but when there were enough such objects, a sequence of two or more letters, or a combination of letters and numerals, might be necessary to identify its place in a series (e.g., AI, AII, AIII). Compare this, for example, with the appearance of ΔΙ in the *Copper Scroll* in 3Q15 2:9. If the Greek letters in the *Copper Scroll* are an adaptation of this letter-label convention, any attempt to read them as indicators of quantity or weight or as abbreviated names would be in vain. The letters may only reference an item's position within a registry or shelving system.

The comparison with Greek temple inventories may likewise illuminate another curious element of the scroll—why the last of the objects listed in the scroll seems to be a copy or expanded version of the scroll itself. Lefkovits renders the relevant text from 3Q15 12:10–12 as follows:

In the deep pit which is in Janoah, in the north of Kahelet, its entrance is hidden, and graves (are) upon its opening, (there is) a copy of this document with its explanation, with their measurements and specification.

²² For a brief survey of previous attempts to explain the letters, see Levkovits, *Copper Scroll* 3Q15, 499–501.

²³ Marcus Tod, "Letter-Labels in Greek Inscriptions," *ABSA* 49 (1954) 1–8.

Many scholars think this copy refers to a version of the *Copper Scroll* with more details or explanation than the version in our possession, but we cannot draw any firm conclusions since the text of this passage is uncertain and the meaning of several of its terms is unknown. (For example, the word translated here as “specification” has also been understood as a Greek loanword, *prōtokollon*, the first sheet of a papyrus roll.)²⁴ It would take us too far afield to try to address the philological issues raised by this passage, but I would note with regard to the concealment of a second copy that here too Greek inventories are suggestive. The versions of such inventories that survive are inscribed on stone, but classicists believe there also existed alternative versions, more portable copies of the inventories produced on papyrus, wax tablets, or wood plaques that were stored away in an archive.²⁵ The following fragmentary passage from an Athenian inventory may refer to such a copy:

(when) they have finished these things, they are to hand over [the---to the--] and they are to deposit in the Metroon both the [--and the----from which] these objects are constructed, a record may be preserved for [all time---. And the commission is to inscribe] on a stone stela both the names of the dedi-ca[nts and the objects which they have dedicated.²⁶

In Sara Aleshire’s understanding of this passage, which fills in the gaps with information gleaned from other inscriptions, it refers to two versions of the inventory: 1) a copy deposited in the public archives of Athens (the Metroon) to serve as a permanent record; and 2) another version inscribed on a stone stela. One of the purposes of such redundancy may have been to protect against efforts to change or erase the content of the publicly accessible version of the inventory.

For this analogy to work well, one of the two copies of the *Copper Scroll* would need to have been intended for public display with the other copy stored away, and this would seem to be at odds with how some scholars understand the relationship between the two versions. Lefkovits believes that the *Copper Scroll* was meant to be a secret—indeed, such a tightly guarded secret that he believes the compilers selected engravers who did not know Hebrew so that they would not understand its content for themselves.²⁷ If he is correct, neither version of the scroll, our version of it or the alternative version listed in the scroll, was intended as a public document. But is he correct? Although the *Copper Scroll* was found hidden in a cave, that does not mean it was intended for concealment. The two surviving

²⁴ Al Wolters, “The Last Treasure of the Copper Scroll,” *JBL* 107 (1988) 419–29, at 426, whose interpretation is disputed by Paul Mandel, “On the Duplicate Copy of the Copper Scroll (3Q15),” *RevQ* 61 (1993) 69–76. On other Greek loanwords that appear in the scroll, see García Martínez, “Greek Loanwords in the Copper Scroll,” *Qumranica Minora II* (ed. Eibert Tigchelaar; Leiden: Brill, 2007) 145–70.

²⁵ Harris, *Treasures of the Parthenon*, 22. For more on Athens’s archival system as it developed in the 5th cent. B.C.E., see Alan Boegehold, “The Establishment of a Central Archive in Athens,” *AJA* 76 (1972) 23–30.

²⁶ The translation is from Aleshire, *Athenian Asklepieion*, 278–79. For the Greek text, see 251.

²⁷ Lefkovits, *Copper Scroll 3Q15*, 454.

scrolls comprising the composition appear to have once been riveted together as part of a single plaque about 8 feet long, and the archaeologist in charge of the expedition that discovered it, Roland de Vaux, suspected it had originally been intended for public display, probably attached flat to the wall of a public building.²⁸ The Greeks preferred to inscribe their inscriptions in stone, but bronze was also used as a medium, as illustrated by a Demotic temple inventory from Hellenistic-Roman Egypt that we will consider below.²⁹ It is also worth considering in this context the curious testimony of *Masseket Kelim*, especially the version found in a Lebanese synagogue inscribed on marble tablets.³⁰ *Masseket Kelim* also makes reference to another version of the inventory, the version inscribed on a “copper scroll,” but *Masseket Kelim* itself was evidently used as a public document—at least that was how the version of it was used into the twentieth century, when a copy of *Masseket Kelim* was found displayed in a synagogue in a manner intriguingly reminiscent of the posting of sacred inventories on temple walls.³¹ The evidence is circumstantial, but it establishes another possible link between the scroll and the Greek temple inventory genre.

Such parallels suggest that Wilmot was on the right track when he drew a comparison with Greek inventories, but what he could not have been expected to anticipate was how new research unfolding in the eighties, nineties, and the most recent decade would open up new perspectives on this genre. As Wilmot understood the genre, the inventory was a straightforward administrative document, like a warehouse inventory of our own day, but even as he was pursuing that idea, others were beginning to develop more complex understandings of the genre. Discrepancies in inventories of the same treasure from successive years—treasures listed in a different order from one inventory to the next or disappearing and resurfacing from year to year—made it hard for scholars to imagine how

²⁸ Roland de Vaux, “Exploration de la région de Qumran,” *RB* 60 (1953) 540–61, at 557–58.

²⁹ See Stanley Casson, “Early Greek Inscriptions on Metal: Some Notes,” *AJQ* 39 (1935) 510–17; Callie Williamson, “Monuments of Bronze: Roman Legal Documents on Bronze Tablets,” *CA* 6 (1987) 160–83.

³⁰ The version of *Masseket Kelim* inscribed on marble plaques was copied in part by Jean Starcky and published by Milik in “Notes d’ épigraphie,” 567–75.

³¹ As it happens, the only other reference in the Dead Sea Scrolls to what seems to be a bronze or copper text, a “bron[ze] tablet,” mentioned in a poorly preserved portion of the *Temple Scroll* (column 34, line 1), seems to place it in a public space, the Temple itself. The mention of this tablet occurs in close proximity to a description of buildings where cultic vessels were stored: “houses for the utensils of the altar, [that is,] the basins and the flagons and the fire pans and the silver bowls with which one brings up the entrails and the legs of the altar” (column 33, lines 13–15). Might the tablet have been connected to these buildings and their content? There is no way to know because this stretch of the *Temple Scroll* is very fragmentary. Yadin compares it to 1 Kings 7:36 where the word translated here as “tablet” means something like panel. See Yigael Yadin, *The Temple Scroll, Volume 2: Text and Commentary* (Jerusalem: Israel Exploration Society, The Institute of Archaeology of the Hebrew University of Jerusalem, and the Shrine of the Book, 1983) 144. Still, the fact that a reference to a bronze tablet appears in close proximity to a passage listing cultic objects is interesting given our argument.

such records could be used to keep track of a temple's inventory or determine where something was located. It is possible that the factual and organizational inconsistencies in the inventories simply reflect inconsistent methods of storage (this has been the argument of Richard Hamilton),³² but even if that was the case, why put such inventories on public display, in the form of stone monuments, and not just file them away? Such considerations led scholars to conclude that the publication of these inventories served functions that went beyond book-keeping.

In the view of Tullia Linders, for example, the purpose of the inscriptions was not just financial but civic: their posting marked the completion of a ritualized transition from one set of treasurers to their successors by publicly registering what treasure had been passed on from one generation to the other.³³ Since only sacred treasures seem to have been inventoried in this way, and the inscriptions are addressed to the gods, Linders infers that they also conveyed a religious message, declaring to the gods that no sacrilege had been committed against their property.³⁴ A different, though not necessarily inconsistent, explanation for the inventories was developed by Diane Harris, who argued that they reflected the culture of accountability that took root in a democratized Athens in the fifth century.³⁵ The Greeks were not the first to keep track of their temple treasure. The Egyptians and other ancient Near Eastern peoples also kept temple inventories, but these were not published in the sense of being made visible to the public (or so argues Harris): they were stored away in palaces and temples accessible only to scribes and officials. In Greece, by contrast, inventories and other cultic financial transactions were put on public display because temple officials in this democratized culture, like other public officials, were considered accountable not just to the gods but to the community.³⁶

Recent scholars have been able to deepen and complicate our understanding of this genre in other ways. Sara Aleshire noted that the term *inventory* covers several different kinds of documents produced in different kinds of situations.³⁷ In Athens, one kind of inventory, the *paradosis*, appears to have been conducted

³² Hamilton, *Treasure Map*, 347–48.

³³ Tullia Linders, “The Purpose of Inventories: A Close Reading of the Delian Inventories of the Independence,” in *Comptes et inventaires dans la cité grecque. Actes du colloque de Neuchâtel en l'honneur de Jacques Tréheux* (ed. Denis Knoepfler and Nicole Quellet; Neuchâtel: Faculté des Lettres Neuchâtel, 1988) 37–47.

³⁴ See also Rosalind Thomas, *Literacy and Orality in Ancient Greece* (Cambridge, U.K.: Cambridge University Press, 1992) 86–87.

³⁵ Diane Harris, “Freedom of Information and Accountability: The Inventory List of the Parthenon,” in *Ritual, Finance, Politics: Athenian Democratic Accounts Presented to David Lewis* (ed. Robin Osborne and Simon Hornblower; Oxford: Clarendon, 1994) 213–25.

³⁶ Harris’s contrast with ancient Near Eastern practice may be overdrawn. In ancient Egypt, for example, temple inventories were not only inscribed on texts; they were also depicted visually on temple walls. See Ben Haring, “Inventories and Administration in the Egyptian New Kingdom,” in *Archives and Inventories in the Eastern Mediterranean* (ed. Katrijn Vandorpe and Willy Clarysse; Brussels: Koninklijke Vlaamse Academie van België voor Wetenschappen en Kunsten, 2007) 47–57, at 53–54.

³⁷ See Aleshire, *Athenian Asklepieion*, 103–10.

regularly, at moments of transition in the administration of the temple when a new board of temple treasurers took over from their predecessors. The inscription of a public monument marked the end of the process, a certification that the accounting had been completed for that particular term of temple treasurers. As part of the transfer of responsibility, however, the temple inventories were reviewed by a board of accountants, and a finding of maladministration could trigger another kind of inventory, a special audit known as *exetasmos* involving an inspection of the objects themselves to confirm what was in the temple and what was missing. A third kind of inventory, the *katharesis*, was a list of items being removed from the sanctuary, usually for the purpose of recasting them into new objects. In that circumstance, it was important to keep track of the whereabouts of the removed treasure so that its material did not get lost in the process of being recycled. Simply noting parallels between the *Copper Scroll* and Greek temple inventories glosses over differences between distinct kinds of inventory compiled in different kinds of circumstances and serving different roles in the supervision of the temple's wealth.

Finally, it is worth noting that recent scholarship has also done more to factor into the picture inventories from elsewhere in the Hellenistic-Roman world, not just from Greece but also from Asia Minor and even Egypt. Focusing on lists of offerings from the temple of Apollo in Didyma (in what is now Western Turkey), Beate Dignas shows how the originally Athenian genre was adopted in this new context to honor important benefactors and religious personnel.³⁸ Also worth considering in relation to the *Copper Scroll* is what has recently been learned about the Demotic temple inventory from Egypt inscribed on a bronze tablet (T. Cairo 30691), found in Medinet Habu and dated to the Ptolemaic or Roman period. Wilmot knew about this example, but he did not have the benefit of recent study, which helped to place it both in relation to earlier Egyptian temple inventories as well as in the context of Roman imperial administration.³⁹ This text is relevant for the *Copper Scroll* not just because of its use of bronze as a medium but because it shows that Greek conventions of temple inventory extended into the administrative life of Near Eastern temples operating within other cultural traditions.

None of this more recent research shows that Wilmot was wrong to see the temple inventory as the relevant genre for understanding the *Copper Scroll*. It does suggest, however, that the inventory was a more complex and variegated genre than was apparent at the time he was conducting his research. Inventories helped to keep track of what was in the temple, but they also served other roles that went beyond routine book-keeping, social, political, and religious roles. There were also different kinds of temple inventory tied to different moments in the management

³⁸ Beate Dignas, "'Inventories' or 'Offering Lists'? Assessing the Wealth of Apollo Didymaeus," *ZPE* 138 (2002) 235–44.

³⁹ Thomas Dousa, Francois Gaudard, and Janet Johnson, "P. Berlin 6848, A Roman Period Temple Inventory," in *Res Severa Verum Gaudium. Festschrift für Karl-Theodor Zauzich zum 65. Geburtstag am 8. Juni 2004* (ed. Friedhelm Hoffmann and Heinz J. Thissen; *Studia Demotica* 6; Leuven: Peeters, 2004) 139–222, esp. 185–86 for discussion of the bronze inventory.

of the temple treasure. Some seem to have been composed as a matter of regular routine, at a time of transition from one set of treasurers to the next, but others arose in response to irregular circumstances—a discrepancy detected in the records or the discovery of something missing in the inventory. Wilmot introduced a very productive comparison, but more recent research on Greek temple inventories invites a new, more careful look at this genre as a vehicle for understanding the *Copper Scroll*.

Does this new research bear in any way on the issue we are focused on here, i.e., whether the *Copper Scroll* treasure was an actual treasure or an imagined one? This is what brings us to the *Lindian Chronicle*, which has also received renewed attention in recent years as part of a larger reassessment of the temple inventory genre. The inscription was discovered in 1904 and has been studied for more than a century, but it has received renewed attention in the last decade, especially by Carolyn Higbie and Josephine Shaya, and it is this new phase of research which recommends the *Lindian Chronicle* as a particularly illuminating analogue for the *Copper Scroll*.⁴⁰

The *Lindian Chronicle* shares much in common with the temple inventories we have been considering. It, too, is a list of temple treasures—cups, bowls, clothes, and jewelry, all of which have parallels in other inventories and which are described in a similar kind of way, with information provided about who gave the offering and the material from which it was fashioned. Like the temple inventory, it is inscribed on stone and set up in a sanctuary, and the way it organizes its list—the particular arrangement of the list in columns, and the appearance of a prescript running along the top of the inscription—also has parallels in known examples of the inventory.⁴¹ Angelos Chaniotis has read the chronicle as an attempt to mimic the temple inventory, keeping the chronicle generically distinct from the inventory while acknowledging their similarities.⁴² Shaya seems to agree, but she also recognizes that the inventory genre was an elastic one, absorbing literary elements from other genres and coming to serve as a kind of public historiography.⁴³ However we characterize its connection to the inventory genre, the *Lindian Chronicle* invites us to be more flexible in how we think about that genre and the kind of treasure that it can record.

⁴⁰ Carolyn Higbie, *The Lindian Chronicle and the Greek Creation of their Past* (Oxford: Oxford University Press, 2003); Josephine Shaya, “The Lindos Chronicle and the Lost Treasures of Athena: Catalogs, Collections, and Local History” (Ph.D diss., Ann Arbor: University of Michigan, 2002); idem, “The Greek Temple as Museum: the Legendary Treasure of Athena from Lindos,” *AJA* 109 (2005) 423–42.

⁴¹ Shaya, “Lindos Chronicle,” 128–37.

⁴² Angelos Chaniotis, *Historie und Historiker in den griechischen Inschriften* (Stuttgart: Steiner, 1988) 54.

⁴³ Shaya, “Lindos Chronicle,” 131–37.

What is most interesting about the Lindian treasure for our purposes is that most of this treasure is absent at the time the inscription was composed, having been lost long before. This is made explicit in the prescript along the top of the stele:

In the priesthood of Teisylos, the son of Sosikrates, on the twelfth day of [the month] Artamitios, it was resolved by the Councilors [of the Lindians] and the Lindians: Hagagesitimos, son of Timakhos, a citizen of Lindos, made the proposal: since the temple of Athena Lindia is both most ancient and most honored [and] has been adorned with many beautiful offerings from the oldest times on account of the epiphany of the goddess, and [since] it happens that most of the offerings together with their inscriptions have been destroyed by time, with good fortune be it resolved by the Councilors and the Lindians, with the ratification of this decree, to choose two men, who, once chosen, are to prepare a stele of Lartian stone according to the written instructions of the architect, and they are to inscribe upon it this decree [and] are to inscribe from the letters and public documents and from other testimonials whatever is suitable concerning the offerings and the epiphany of the goddess.⁴⁴

It is possible that a few of the items listed in the *Chronicle* still existed at the time of its composition.⁴⁵ Most were lost, however—"destroyed by time" in the words of the decree. Later in the *Chronicle*, in the final narrative section, the inscription discloses what happened to some of them: they were destroyed in a fire, which consumed the temple three hundred years earlier in 391 B.C.E. We cannot determine what happened to all of the treasures listed in the *Chronicle*, but what seems to qualify most, if not all, of them for mention in the inscription, apart from their association with the Lindian temple, is the fact that they no longer exist.

In point of fact, many of these treasures may never have existed. In one of the earliest studies of the inscription, Christian Blinkenberg showed that the *Chronicle*'s authors did not distinguish clearly between what we might call myth and history, attributing various gifts to figures from the mythological past, including Kadmos, the legendary Phoenician ruler; Minos, mythical king of Crete; Heracles and his sons Tlapolemos and Telepos; Menalaos, husband of Helen of Troy; and Helen herself.⁴⁶ Blickenberg believed that the more recently given gifts were historical, but, as Shaya notes, even these can fuse fact and legend, as when the *Chronicle* claims that Phalaris, a real-life tyrant from the sixth century B.C.E., donated a krater he inherited from the mythical artist Daidalos.⁴⁷ The Lindians did know the offerings listed in the *Chronicle* did not exist in their day, but they had an explanation which

⁴⁴ The translation is from Shaya, "Lindos Chronicle," 69. For the Greek text of the inscription, see Shaya, "Lindos Chronicle," 250–58; Higbie, *Lindian Chronicle*, 19–49.

⁴⁵ Shaya, "Lindos Chronicle," 125–27. Earlier scholarship suspected that a few of the treasures still existed at the time of the inscription's composition, but, as Shaya notes, even if some of the objects still existed in the authors' day, these were the exception.

⁴⁶ Christian Blinkenberg, *La Chronique du temple lindien* (Copenhagen: B. Luno, 1912) 49.

⁴⁷ Shaya, "Lindos Chronicle," 26–28.

was different from modern scholarship: not that they arose from legend and never existed, but that they had been lost in an earlier era.

Why go to such lengths to itemize a treasure no longer in the temple? Shaya offers one possible explanation. One reason to visit a temple in this period was to behold the treasures inside, objects which inspired awe in spectators because of their association with the mythological past. We know of many such objects, the pre-Christian equivalent to the medieval relic. A temple at Samothrace displayed bowls given by the Argonauts. A temple of Athena in Odysseia claimed Odysseus's shields and the back of his ship. Delphi could boast possessions like a bronze tripod from the funeral games of Patroklos, Achilles's companion, and among the items listed in the Delian temple inventories were a bow and quiver of Heracles.⁴⁸ Possessing such treasures added to the venerability of the temple, showing that it has been honored by the greatest of heroes and associating it with wondrous events, and even if a treasure was no longer found in the temple, the mere fact that it had once been there could augment the temple's reputation. Hence, the importance of documenting that such a treasure had once existed and of doing so in the form of a publicly visible inscription from which visitors could learn about the treasure and be impressed.

Beyond wanting to associate themselves with mythological heroes and events, however, there might have been another reason that the Lindians felt it important to itemize the treasures lost from their temple. As we have noted, the public posting of the temple inventory seems to have arisen from a desire to hold temple officials accountable, to make sure that they and the community were fulfilling their duties as guardians of divine wealth. From this perspective, absent treasure posed a serious problem, raising questions about the integrity of the temple's treasurers who had a duty to guard the temple's contents. To avoid these kinds of problems, the temple treasurers had to keep track not just of what was in the temple's treasury but of everything that had gone missing as well, to account for what had been lost or damaged. Thus the development of the special audit known as the *exetasmos*, mentioned earlier as a review of the temple's inventory triggered when it emerged that something was missing. The following inscription describes the procedure in Athens:

The Prytaneis [executive members of Athens's governing council] are to command also that Eukles, the public scribe, come to the Acropolis to record the objects in the Chalkotheke [a storage room on the Acropolis]. And when the building is opened, he is to examine each by type and to record their number and the Prytany secretary is to make a copy and the other secretaries of public documents [are to make copies]. And when everything has been examined and recorded, the secretary of the Council is to inscribe [the record] on a stone stele and set it before the Chalkotheke; for the inscribing of the stele the treasurers of the Council are to give 30 drachmas from the expenditures voted

⁴⁸ For these and other examples, see Shaya, "Lindos Chronicle," 214–19.

to the Council. And the secretary of the Council is to make copies of the stelai [of] the inscriptions/records concerning the material in the Chalkotheke. And when these have been read, the Prytaneis are to make a public summons in the Council Hall concerning these whenever it is possible, and, once the Council has heard the objects [just] inscribed being read against the objects inscribed on the [earlier] stelai, if anything is missing, to deliberate and bring the matter to the demos so that the demos may hear and deliberate how the missing objects can be replaced so that matters will be best and most holy toward the Goddess.⁴⁹

According to this testimony, when suspicion emerged, a secretary would conduct an inspection of what was in the temple and have the results recorded in a public inventory that was then compared to earlier inventories. If the process revealed that something was missing, the community would have to figure out how to replace it since it was divine property.

This description implies the existence of a class of object that would have gotten special attention from those in charge of the temple's treasury — those objects not found where they were supposed to be in the temple. Treasurers who failed to note the absence of an item in what they received from their predecessors could be held liable for the loss, and this gave them an added incentive to register any missing or broken objects they knew about, as in another Athenian inscription:

Silver crown which Dion dedicated; it is not present [in the temple].... Mnesarete [dedicated] 10 drachmas; [this dedication] is short [of the recorded weight] by 3 drachmas; these [three drachmas] he [the priest] said that Diokles Myrrhinousios must repay. It is missing one more drachma, 1 dr., [which is] in the keeping of Telesias...Onasos [dedicated] 12 drachmas, on a tablet. From [the dedication] is missing 4 dr.; this is the deficit which Polyxenos paid back on his own behalf. (lines 1–2, 6)⁵⁰

Yet another temple inventory, an inscription from the island of Samos dated to the year 346/5 B.C.E., records such missing items in the form of a brief list: "In the Great Temple, Pelysios, the sacred slave of the goddess, read out from the sealed document all the votives and showed that they were there, except the following which were missing."⁵¹

The passage refers to a proceeding in which a temple servant reads aloud a list of the votives in the temple as part of a process of determining what was still there or not. Notice that the servant is said to have read out a list of all the objects expected to be found in the temple, but it is only the missing objects that are catalogued in this particular passage. From this example, it appears that the process of keeping track of temple treasure occasionally yielded two kinds of publicly displayed inventory: a list of what was found in the temple and a list of what was lost.

⁴⁹ The translation here is cited from Hamilton, *Treasure Map*, 347–48.

⁵⁰ Text cited from Aleshire, *Athenian Asklepiion*, 129 (Greek, lines 1–7), with the English translation on 135–36; brackets added by author.

⁵¹ Cited from Tullia Linders, "Inscriptions and Orality," *SO* 67 (1992) 27–40, at 37–38.

The *Lindian Chronicle* seems to be an outgrowth of this interest in keeping track of lost treasure. The temple's reputation depended to some degree on the impressiveness of the gifts that had been deposited there, gifts that demonstrated the temple's significance in Greek history and affirmed the presence of the goddess there. But where were these gifts? To answer these questions, the Lindians and their leaders undertook a kind of audit, not the *exetasmos* described above but an investigation which entailed looking into the records to retrieve information about the lost offerings. The effort involved historical scholarship, not book-keeping, but it resulted in an inscription not unlike the Samian inventory quoted above, a public itemization of treasures belonging to the temple but no longer there.

In the Athenian *exetasmos* noted above, the community needed to know what items were missing so that it could deliberate on how to replace them. It is conceivable that the inventory of lost treasure in the *Lindian Chronicle* was also preliminary to an effort to replace the missing items. One of the lost offerings listed in the inscription is a linen cuirass given to the temple by the Egyptian king Amasis, notable for the fact that each of its yarns was comprised of three hundred and sixty threads. Sometime after the inscription's publication in 99 B.C.E., the cuirass was evidently rediscovered, for Pliny the Elder reports that it was seen by the Roman Licinius Mucianus, Vespasian's right-hand man, when he visited the temple in the first century C.E., though by that point it apparently only survived as "small remnants" (Pliny, *Natural History* 19.2.11–13).⁵² It is conceivable that the posting of the inscription helped spur interest in the retrieval of the lost treasures that it recorded, but what is also important to note is that an accounting of missing treasure was something a temple might undertake whether or not the treasure was retrievable. The guardians of a temple's wealth were expected to know if something was missing from among the items under their supervision and to disclose that information. Recording their loss was an exercise in honest stewardship, proof that those responsible for the temple were fulfilling their obligations to the community and to the god to whom the offerings belonged.

Even centuries after the loss of the temple's treasure, the *Lindian Chronicle* suggests, it could be important for the community to know the contents of the treasure, where it came from, how to identify it, and its value. Itemizing such objects was itself a way of honoring the god (showing how she had been honored in the past), but it was also fulfilling a basic responsibility of temple stewardship, acknowledging what had belonged to the god. Being able to itemize the treasures that had been in the Lindian temple, documenting what they were even if the objects themselves were gone, was a way of asserting the integrity of a community or priesthood charged with guarding sacred property.

In the light of all this, we are in a position to expand on the conclusions that Wilmot drew from his comparison with Greek temple inventories. Confining himself to certain examples of the temple inventory, Wilmot classified the *Copper Scroll* as a

⁵² See Shaya, "Greek Temple as Museum," 435–36.

“non-literary text.” Milik had been wrong to draw connections to later mythological narratives, he argued; the scroll was an administrative document recording a genuine treasure. Adding the *Lindian Chronicle* to the mix complicates any neat distinction between a literary and non-literary document, or between a genuine and mythical treasure, by showing that the genre could sometimes venture into territory located somewhere between the poles of the fictional and the historical. The *Chronicle* fuses myth and history in its representation of the past, and the treasure that it records similarly falls between the categories of the real and the imaginary.

If our intent were to choose sides in the debate over whether the *Copper Scroll* treasure was real or not, we might use the *Lindian Chronicle* to defend Milik’s conclusions. Particularly interesting is the *Chronicle*’s similarity to *Masseket Kelim*, the strange document combining a detailed inventory of imagined temple treasure with a narrative about how those treasures were lost. Critics of Milik’s position have been able to dismiss the relevance of *Masseket Kelim* because it is so late, from Late Antiquity or the Middle Ages. The *Lindian Chronicle* invites a reconsideration of that objection by showing the existence of this kind of literature in antiquity, in a text that predates the *Copper Scroll* by two centuries.⁵³

Our goal here, however, is not to revive Milik’s position, but to try to find some way beyond the sharp binary between myth and reality that put his view in opposition to the observations of Allegro and other scholars. For the most part, it seems that the Greek temple inventories were referring to real objects, items discoverable through inspection, but the *Lindian Chronicle* shows that this was not always the case. When it only had textual sources to go on, a community could mistake a mythical treasure for a missing real one and respond to it as if it had once been in the temple, seeking documentation for its existence, even itemizing it. In fact, we know this to be the case not just for Greek legendary treasures but for Jewish ones too. Despite never having seen it themselves, despite the fact that the ark may well have been an entirely legendary object, Jews in the Hellenistic-Roman period assumed that it was a genuine cult object—invisible, irretrievable without supernatural intervention, but as real as the objects in use in the then-functioning temple. The Mishnah, for example, recounts an incident in which a priest working in the Temple figured out the place where the ark was hidden by noticing something wrong with the flooring. Before he could tell others, he was struck dead, but his fellow priests seemed to know the general area where the ark was located (m. *Sheqalim*. 6:2). The Mishnah draws no distinction here between the ark and the various treasure chests described in the immediately preceding passage in m. *Sheqalim* 6:1 as a part of the Second Temple. The only difference, from its perspective, is that the ark was hidden underground, invisible yet present.

⁵³ Worth noting in this connection is a recent argument that other medieval Byzantine catalogues of fabulous treasure from the 11th and 12th centuries draw on much earlier sources from Late Antiquity. See Cyril Mango, Michael Vickers, and E.D. Francis, “The Palace of Lausus at Constantinople and its Collection of Ancient Statues,” *Journal of the History of Collecting* 4 (1992) 89–98; Shaya, “Lindos Chronicle,” 239–45.

I am stressing this point because it can help to move our understanding of the scroll beyond the polarized options offered by existing scholarship. We have no way of knowing whether the Copper Scroll treasure actually existed or not, but thanks to the *Lindian Chronicle*, we are in a position to see that it did not necessarily matter in this milieu that a given treasure no longer existed or never existed for that matter. What was more relevant was whether a treasure was accounted for or not, whether it was where it was supposed to be in the temple or had been lost.

Of course, the *Lindian Chronicle* is not an exact analogue for the *Copper Scroll*. The treasure listed in the scroll does not have mythological overtones, and it is not really lost in the same way: it purportedly still exists, and whoever composed the scroll claims to know its location. But while the *Copper Scroll* treasure is not exactly missing, it is not quite present either: it is hidden from view, not where a sacred treasure is supposed to be—i.e., stored securely in a temple—but scattered in the most profane of places, concealed in pits and gutters, or among tombs, or buried deep into the ground. In light of the evidence we have been considering here, we are now in a better position to appreciate why someone would keep such careful track of a treasure displaced in this way. In a culture that held its officials accountable for maladministration, it was important for Temple treasurers to know when items were lost, and to publicly disclose any treasures that were discovered missing. This was true of Greek culture, and it may have been equally true of Jewish culture in the age when the *Copper Scroll* was composed, when the community had ample reason to be suspicious of how Temple officials were managing the considerable amount of wealth entrusted to them.⁵⁴ There are indications from Jewish sources that the absence of even a legendary item like the ark could undercut the priests' reputation as protectors of the Temple's wealth. Not long after he reports the removal of the ark, the biblical figure of Baruch as described in the pseudepigraphical 2 *Baruch* urges the priests to cast the keys of the Temple into heaven and calls on God to guard his house himself—in effect, he calls on the priests to resign—because they have proven “false stewards” (10:18). I would argue for this culture of cultic accountability—the demand that priests be held responsible for lost or damaged Temple treasure—as important background for understanding the *Copper Scroll*, its effort to catalogue the locations of dislocated sacred treasure mirroring the ethic of public accountability responsible for Greek temple inventories.

In support of this hypothesis, we have evidence from early Jewish sources of efforts to allay such suspicions through acts of public disclosure. The Mishnah's description of the Temple records one example of such a practice. According to the Mishnah, the half-shekel contributions that Jews gave every year to the Temple were deposited in three chests distinguished by the Hebrew letters *aleph*, *beth*, and *gimmel* (or according to Rabbi Ishmael, the Greek letters *alpha*, *beta*, and *gamma*), and the guardians of this wealth took great care to make sure nothing went missing.

⁵⁴ For evidence of priestly theft from the Temple, see 2 Maccabees 4:32; *Jewish War* 6.387–191. For the pilfering of sacred donations intended for the Temple, see *Antiquities* 18.82–83.

People withdrawing funds from those chests were carefully monitored to make sure that they did not steal anything, and they were forbidden from wearing any kind of clothing or shoes in which anything could be hidden. The reason for this was not just to defend against theft but to discourage people from becoming suspicious of those with access to this wealth:

The one who withdraws [the wealth] does not enter with a hem in his cloak or in shoes or sandals, or with phylacteries or an amulet, lest people say, “On account of the treasury, he has become poor” [i.e., because he stole, God has punished him with poverty] or lest they say, “Because of withdrawing funds from the treasury, he has become rich,” for a man needs to be accountable to people just as he has to be accountable to God. (*m. Sheqal.* 3:2)

A similar desire to allay public concern about the Temple wealth might also explain another custom hinted at in rabbinic sources which seems to have developed in the Hellenistic-Roman period: the display of the Temple’s gold-plated table of showbread and candelabrum to the pilgrims visiting Jerusalem during major festivals (*y. Hag.* 3:8 = *b. Hag.* 26b). Israel Knohl has suggested that the custom of displaying the vessels reflected a popularizing strain in the Temple cult, an effort to involve the people in its rituals.⁵⁵ What we see here suggests another explanation for this custom: it gave pilgrims a glimpse of the Temple’s secrets, but it also served as an assurance to the community that its treasures were still intact.

There are even hints of the sort of publicly posted inventories known from Greek temples, though the evidence is admittedly slim. One such hint surfaces in the Mishnaic tractate *Yoma*, which features a list of precious cultic accouterments donated to the Temple to facilitate the Yom Kippur ritual: a chest containing two lots upgraded from wood to gold by a donor named ben Gamla; various kinds of valves given by another donor named ben Qatin; golden handles donated by King Munbaz of Adiabene to adorn various cultic vessels used for the Yom Kippur ceremony; a golden lamp set up over the door of the sanctuary by his mother Helena; a golden tablet on which she had inscribed a biblical passage; and ornate doors donated by a Nicanor, evidently an Alexandrian Jew (*m. Yoma* 3:8–9). The list contains language recalling a conventional formula of Jewish inscriptions from this period: “Ben Gamla made (some lots) of gold, and the people would cause him to be remembered for praise.”⁵⁶ Perhaps beyond merely echoing the phraseology of inscriptions, however, the list might actually be based on such an inscription, not noting the weight of the objects that it lists (as many Greek inventories do) but

⁵⁵ Israel Knohl, “Post-Biblical Sectarianism and Priestly Schools of the Pentateuch: the Issue of Popular Participation in the Temple Cult on Festivals,” in *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid, 18–21 March, 1991* (ed. Julio Trebolle Barrera and Luis Vegas Montaner; 2 vols.; STDJ 11; Leiden: Brill, 1992) 2:601–9.

⁵⁶ Noah Greenfield and Steven Fine, “‘Remembered for Praise’: Some Ancient Sources on Benefaction in Herod’s Temple,” *Images* 2 (2008): 166–71, esp. 167–68. For more on the inscriptional formula echoed in this mishnaic passage, “May X be remembered for good,” see Susan Sorek, *Remembered for Good: A Jewish Benefaction System in Ancient Palestine* (Sheffield: Sheffield, 2010) 75–82.

registering their material, the name of their donors, and even in one case noting an identifying inscription that appeared on the donated object—all the sort of information registered in Greek temple inventories and the *Lindian Chronicle*.

I believe that what we have in the *Copper Scroll* is another example of this kind of inventory: not an inventory of treasure kept in the Temple but something closer to the lists of missing treasure that we have been considering, or to the *kathairesis*, an inventory of treasure removed from the sanctuary to be melted down and recast as another kind of cult object. I am not suggesting that the *Copper Scroll* reflects a *kathairesis* in a specific sense, but it can be read as a similar effort to keep track of treasure removed from its Temple setting, showing that the treasure still remains under supervision even if displaced, that it remains available and has not been stolen or misappropriated. For a community that carefully monitored what belonged to the Temple (keeping track of individual shekels according to *m. Sheqalim* 7:1), and which could suspect theft when something went missing, the disclosure of such information had value independent of the value of the items involved. Publicly acknowledging missing items demonstrated the integrity of those entrusted with the wealth.

In support of this interpretation, we can point to an interesting rabbinic tradition that imagines Moses producing precisely the kind of inventory we have in mind, an inventory of missing sacred donations. This tradition was inspired by the narrative in Exodus 38, which provides a detailed account of the material used to construct the tabernacle of Moses's day, an itemization of specific quantities of gold, silver, and bronze. According to rabbinic readings of this passage,⁵⁷ the Israelites were suspicious of how Moses was managing the wealth entrusted to him for the construction of the tabernacle, murmuring to themselves: "How could such a man be put in charge of the tabernacle and not be expected to enrich himself?" In this tradition's recasting of the biblical narrative, such murmurs are what prompt Moses to publish the inventory in Exodus 38 to prove that he had not taken the treasure for himself. In a related tradition, the prophet is said to have published the inventory to account for silver that had been donated to the tabernacle but had seemed to go missing. Moses had used the silver to make hooks for hanging the curtains of the tabernacle, but since the hooks were hidden behind the curtains and hard to see, they went unnoticed in an audit of the materials used in the construction, and thus Moses fell under suspicion of having stolen the silver for himself. It was only when God revealed them to Moses during a second inspection that Moses rediscovered them and was able to register them in the inventory in Exodus 38 (which in verse 28 confirms that all 1775 shekels of silver were used to make the hooks). The midrash reimagines a biblical cultic inventory in light of the Hellenized ethos of accountability discerned behind Greek temple inventories, and the result is a cultic inventory that functions just as those inventories did, triggered by a suspicion that some of the sanctuary's wealth had gone missing, undertaken to

⁵⁷ *Tanhuma, Pequdei* 7; *Exodus Rabbah*, 51.6.

track the whereabouts of the missing donations, and publishing this information to the community to reaffirm the guardian's reputation as a trustworthy steward.

The inventory of the midrashic Moses is similar in function to the role I am proposing for the *Copper Scroll*—to allay concerns about the whereabouts of a sacred treasure that is not where one would expect to find it. The latter of the two traditions cited above is particularly germane because it reads the Exodus 38 inventory as a listing of a cultic treasure that has gone missing. The silver hooks hidden behind the Tabernacle curtains are similar to the treasures listed in the *Copper Scroll*, in as much as they, too, are hidden from view. By accounting for their whereabouts, Moses is able to re-establish his reliability as a guardian of cultic wealth, and if one carries the analogy through to its logical conclusion, that may well be the function of the *Copper Scroll* as well: through an inventory of missing cult items that specifies their location and their exact quantity, the scroll affirms the integrity of those charged with guarding this treasure. What I am arguing, in other words, is that the *Copper Scroll* comes out of the same Hellenized culture of accountability that has shaped this midrash, a culture that required the guardians of Temple wealth not just to inventory the treasure under their supervision but to disclose what items were lost, deteriorated, or had to be removed in order to avoid the suspicion of theft or being held personally liable for the missing treasure.

How does all this help us to address the question we have been wrestling with—whether the *Copper Scroll* treasure was real or not? A closer look at Greek temple inventories, expanding this genre to include the *Lindian Chronicle*, reveals a category of cultic treasure between our categories of the real and the mythical—missing treasure, treasure that has been destroyed, lost, or removed from the temple. Such treasure was invisible. It could not be seen or used. As in the case of the *Lindian Chronicle* treasure, it was known only from legend. But its physical absence did not make it less real—it had to be itemized in the same way that actually existing treasure was itemized. Since those charged with guarding a temple's wealth were held responsible for treasure deemed missing, they documented absent treasure in great detail, down to individual drachmas, and were evidently expected to disclose its absence to the larger community in the form of public inventories, inventories of what was to be found in the temple but also inventories of what was missing from it. The midrashic traditions we have been citing, along with evidence from the Mishnah and Second Temple period literature, suggest this concern with missing cultic treasure penetrated into early Jewish culture, generating similar anxieties about the whereabouts of absent cultic objects and a similar need to account for them.

By placing the *Copper Scroll* within this cultural context, we can more precisely understand why someone would so meticulously record the details of the treasure that it records. Whatever this treasure was exactly—offerings removed from the Temple at the time of its destruction, offerings intended for the Temple but never making it there—its concealment placed it in this category of absent treasure, treasure that had to be accounted for, documented, and disclosed to the relevant

community if those responsible for it were to uphold their responsibilities and reputation. What was relevant was that the treasure was believed to be real, that it was felt to be missing—a category of treasure that in this period included not just actually existing treasure stolen or lost but also legendary treasure that only existed in the imagination. Of course, one still wants to know whether there was a *Copper Scroll* treasure or not, but after sixty years of scholarship and debate, it appears that we will never know the answer to that question. If what I am arguing here is correct, what we can say now is that an answer may be beside the point for understanding why the *Copper Scroll* was written or what it was meant to accomplish.

■ Conclusion

Admittedly, the comparisons we have pursued do not settle the many questions raised by the *Copper Scroll*, but what they do accomplish is a broadening of the cultural context in which we place those questions. For most of the last sixty years, scholarship on the *Copper Scroll* has defined the relevant context for understanding the scroll as first or early-second-century Jewish history, the Second Temple's destruction or the Bar Kokhba Revolt, without sufficiently registering that Jewish culture in this period was a part of a larger Hellenized Mediterranean culture. Wilmot's research suggested a way to enlarge that context, but he was not able to develop the comparison. Elaborating on his comparison with Greek temple inventories, one might plausibly account for a number of the scroll's most puzzling details—the use of mysterious Greek letters at various points in the inventory, the reference to the storing away of a second copy, even the use of bronze as a medium—but what I have emphasized here is how it helps to reframe the debate over whether the *Copper Scroll* treasure was real or imagined.

A majority of recent scholars believe the treasure was real, and what we have seen here supports that position; the treasure listed in all the other inventories we have considered, including the lost treasure of the *Lindian Chronicle*, were all presumed real by those who compiled these inventories. My intention has not been to contest the realness of the treasure but to argue for expanding our concept of a real treasure in this period. In the Greek world, the treasure belonging to a temple could include mythical relics, objects thought to come from demigods and ancient heroes and elevated by their association with extraordinary or supernatural events. I cannot see any empirically discernible way in which these imagined treasures were distinguished in an epigraphic source like the *Lindian Chronicle* from what we would count as real treasure. Indeed, the *Lindian Chronicle* is especially instructive in this regard because of the way it so precisely catalogues a cultic treasure explicitly acknowledged as no longer existing. The same point could be made of Jewish Temple treasure in the Hellenistic-Roman period; our sources do not make an ontological distinction between the lost ark supposedly hidden under the Temple and other cultic vessels present in the Temple in more visible and verifiable ways.

While this conclusion may be defensible on comparative grounds, however, there is still the problem that it is very counter-intuitive. We are not in the realm of quantum physics, dealing with particles that can exist and not exist at the same moment. One can understand how an illusory treasure could be mistaken as real, and how a real treasure could go missing and become a subject of legend, but how can a treasure be both at the same time? No historical parallel can overcome logical impossibility. To explain why this position is not as nonsensical as it might seem, I want to conclude by moving from the ancient world back into our own. Whatever wealth might be in one's possession, if one thinks about it, much of it is hidden from view—not immediately present to us. Our sense that it exists is based largely on account statements that we trust to give us reliable information about how much is there. We believe that the money is real, and at least when our banking system is working as it is supposed to, we feel assured that we have access to it when we need it, even though we cannot see it or count it for ourselves. It turns out, in other words, that much of our own treasure, for much of its existence, is both real and imagined at the same time (though expected to be made real when we need it).

In a not dissimilar way, many temple treasures in the Greco-Roman period existed in an intermediate state, believed to be real but not available for inspection, not always where they were supposed to be or intact, and sometimes more fictive than existent as was the case with many of the treasures listed in the *Lindian Chronicle*. At certain moments, when the community felt it necessary to audit the temple inventory, the distinction might be clarified to the satisfaction of the community, but for much of a temple's history, the community would not have been in a position to directly confirm which items were actually in the temple and which were not, trusting that they were there but not knowing for certain until the next audit. The fear that such treasure might not really be there is why the Greeks developed the practice of posting temple inventories—a conventional way of resolving what was actually present in the temple and what was not—and it has been my argument that this was the purpose of the *Copper Scroll* as well: to confirm that a treasure that appeared to be missing was really there, absent but accounted for by those entrusted with its safekeeping.

How Many Pigs Were on Noah's Ark? An Exegetical Encounter on the Nature of Impurity*

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■ Introduction

Commentators have long noted that God's commandment to Noah to bring all animals onto the ark exists in two intertwined versions in the biblical text. In the first version, Noah is told to bring two of every species: "And of every living thing, of all flesh, you shall bring two of every kind into the ark, to keep them alive with you; they shall be male and female" (Gen 6:19 NRSV). In the second version, however, the animal kingdom is divided into pure and impure species: "Take with you seven pairs of all pure animals, the male and its mate; and a pair of the animals that are not pure, the male and its mate; and seven pairs of the birds of the air also, male and female, to keep their kind alive on the face of all the earth" (Gen 7:2–3).¹ Noah then sacrifices some of the pure animals and birds after the flood (Gen 8:20).

The second version raised a number of questions for ancient and late ancient commentators, both Christian and Jewish. Why was Noah commanded to take two of some animals and seven of others? The biblical text seems to assume that Noah

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¹ Translation adapted from the NRSV. Modern biblical criticism assigns the first version to P and the second to J; see Norman C. Habel, "The Two Flood Stories in Genesis," in *The Flood Myth* (ed. Alan Dundes; Berkeley: University of California Press, 1988) 13–28. A similar division of the flood narrative into two separate versions was already proposed in the third century by Bardaisan of Edessa, as reported and vehemently rejected by Eusebius of Emesa, in *Commentaire de la Genèse*.

and the readers already know of a distinction between pure and impure animals, and does not explain in detail which species are meant, nor how Noah should distinguish between them. Yet the distinction between pure and impure animals is revealed to Moses only later, as part of the dietary laws in Leviticus 11. What, then, may be the function of this pre-Mosaic commandment? Does it imply that the impure animals were prohibited to Noah, and perhaps to the rest of his generation? Many Greek and Syriac exegetes of the first millennium, as well as a large number of Jewish sources, refer to these questions from various angles.²

These questions were not only exegetical conundrums. The exegetical tradition on Noah's animals relates to a larger complex of ideas discussed by Jewish, Christian, and Muslim writers: the relationship between abstinence from certain animals as food and conceptions of nature.³ This issue may be divided into three topics. The first concerns the identification of the dietary laws current in primeval and therefore "natural" and universal settings such as the garden of Eden, Noah's ark, or Abraham's tent, settings prior to the revelation at Sinai. According to most Jewish and Christian exegetes, Adam, in Gen 1:29, was allowed to eat of all the grasses and trees, but was implicitly forbidden the flesh of animals.⁴ Following the flood, permission was granted to eat animals: "Every moving thing that lives shall be food for you; and just as I gave you the green plants, I give you everything" (Gen 9:3 NRSV); their blood, however, was prohibited (Gen 9:4). Many Christian writers, and some Jewish ones, saw this verse as the basis for permitting all foods

Texte arménien de l'édition de Venise (1980), fragments grecs et syriaques (ed. Françoise Petit, Lucas van Rompay, and J. J. S. Weitenberg; *Traditio exegetica graeca* 15; Louvain: Peeters, 2006) 95, 213, 293 (46b in the Armenian translation, frg. cat. 682 from the catena, frg. 29 from Procopius of Gaza, respectively).

² For the figure of Noah in late ancient sources, see Jack P. Lewis, *A Study of the Interpretation of Noah and the Flood in Jewish and Christian Literature* (Leiden: Brill, 1968); Hagit Amirav, *Rhetoric and Tradition: John Chrysostom on Noah and the Flood* (*Traditio exegetica graeca* 12; Louvain: Peeters, 2003); Naomi Koltun-Fromm, "Aphrahat and the Rabbis on Noah's Righteousness in Light of the Jewish-Christian Polemic," in *The Book of Genesis in Jewish and Oriental Christian Interpretation: A Collection of Essays* (ed. Judith Frishman and Lucas van Rompay; *Traditio exegetica graeca* 5; Louvain: Peeters, 1997) 57–72; Laura S. Lieber, "Portraits of Righteousness: Noah in Early Christian and Jewish Hymnography," *ZRGG* 61 (2009) 332–55; and *Noah and His Book(s)* (ed. Michael E. Stone, Aryeh Amihay, and Vered Hillel; Early Judaism and Its Literature 28; Leiden: Brill, 2010).

³ Nature (φύσις) is a famously equivocal term with many senses. However, two of the common meanings of the "natural" in both classical literature and Christian writing are "essential" and "non-artificial," and I believe one of these two meanings is behind the uses of "nature" in the texts cited here. For non-Christological patristic usage, see G. W. H. Lampe, *A Patristic Greek Lexicon* (Oxford: Clarendon, 1961) 1496–98; Patricia Cox, "Origen and the Bestial Soul: A Poetics of Nature," *VC* 36 (1982) 115–40.

⁴ b. *Sanh.* 59b; Irenaeus, *Epid.* 22; Nemesius of Emesa, *Nat. hom.* 1.12; and the many references in Lewis, *Interpretation of Noah*, 37 n. 4. For protological aspects of dietary asceticism in late ancient Christianity, see Teresa M. Shaw, *The Burden of the Flesh: Fasting and Sexuality in Early Christianity* (Minneapolis: Fortress, 1998) 171–81.

to non-Jews.⁵ The second topic is related to the nature of animals: Do forbidden or impure animals have any essential characteristics that make them unhealthy or morally dangerous? In their more intellectual forms, discussions of this issue drew on tropes known from Greco-Roman disputes on the moral and spiritual status of animals.⁶ The third topic concerns human nature: Do humans have a natural and essential inclination to abominate certain animals as foods and to be disgusted by them?

The relationship between dietary laws and nature had direct implications for interreligious polemic and boundary marking. For Jewish and Christian commentators in late antiquity, if certain dietary laws could be shown to reflect or conform to nature or to have been in force in primeval settings, this would indicate that they embodied universal and objective values. As Jews, Christians, and Muslims all practiced different dietary laws and frequently rejected the restrictions of the other religions as arbitrary, artificial, immoral, or theologically wrong, being able to demonstrate the universality of particular dietary laws would have clear polemical value. In practice, however, the interest of Jewish, Christian, and Muslim writers in deploying such polemical and exegetical strategies was historically contingent. For example, rather than naturalize dietary laws, some writers sought to enhance their value as identity markers by emphasizing the exclusive relevance of these laws to their own religious communities; this is seen especially in Jewish writers. In this article, I shall trace the exegetical tradition on Noah's animals in late ancient and early medieval texts in Greek and Syriac and the parallel Jewish traditions, and contextualize it in Christian, Jewish, and Muslim theories on the relationship between nature and dietary law. I shall argue that the eighth century saw a shift in Jewish and Christian thought towards a more universalist discourse on impurity, in which arguments from nature were paramount. This shift may have been caused by the influence of Islamic discourse concerning dietary laws, which was essentially universalist, perceiving God's precepts as obligating all humans.

⁵ Justin, *Dial.* 20.2; Clement, *Paed.* 2.16.3; Irenaeus, *Epid.* 22; *Const. ap.* 7.20; Basil of Caesarea, *Jejun.* 1.5, *Ep.* 236.4; Julian, *Galil.* 314C; *Gen. Rab.* 34.9; *Lev. Rab.* 13.2; and y. *Meg.* 72b (cited below n. 53). Aphrahat, though agreeing with this common opinion, admits that Abraham and his descendants were commanded "not to use an impure thing" (*Dem.* 15.3 [PS 1:736]; translation mine).

⁶ For these discussions, see Richard Sorabji, *Animal Minds and Human Morals: The Origins of the Western Debate* (Cornell Studies in Classical Philology 54; Ithaca, N.Y.: Cornell University Press, 1993); Ingvild Sælid Gilhus, *Animals, Gods and Humans: Changing Attitudes to Animals in Greek, Roman and Early Christian Ideas* (London: Routledge, 2006). For the implications of these discussions on disputes concerning dietary rules, see Misgav Har-Peled, "The Pig as a Problem: Greeks, Romans and Jewish Pork Avoidance" (Ph.D. diss., École des Hautes Études en Sciences Sociales, 2011).

■ Nature and Law in Christian Exegesis of the Biblical Dietary Laws

The dietary laws of Leviticus 11 and Deuteronomy 14, which designate certain animals impure and prohibit them as food, were widely perceived by early Christian writers to be one of the most salient features of Jewish religion and were therefore one of the foci of intellectual and practical debates between Jews and Christians in the first millennium.⁷ The widespread Christian view that no animal is essentially impure and that all foods are permitted was typically supported by Jesus's declaration "it is not what goes into the mouth that defiles a person, but it is what comes out of the mouth" (Matt 15:11 NRSV).⁸ Dietary observances were seen as a ritual and fleshy aspect of the Jewish law, which had been abrogated. Already from the early second century, the position that certain animals or foods are impure was linked by Christians not only to those who upheld the Jewish dietary laws, but also to groups that advocated extreme alimentary asceticism. These groups were stigmatized by the major Christian writers as heretical, and their asceticism was taken to imply that such animals were created not by the good God, but by an evil creator; this lent a theological foundation to the Christian rejection of dietary laws.⁹ True impurity, argues Origen, is not a matter of nature (φύσις), but of opinions

⁷ For the first four centuries, see Peter J. Tomson, "Jewish Food Laws in Early Christian Community Discourse," *Semeia* 86 (1999) 193–211; David M. Freidenreich, *Foreigners and Their Food: Constructing Otherness in Jewish, Christian, and Islamic Law* (Berkeley: University of California Press, 2011) 85–128; for medieval evidence, see Irven Resnick, "Dietary Laws in Medieval Christian-Jewish Polemics: A Survey," *Studies in Christian-Jewish Relations* 6 (2011) 1–15. Although the impurity of animals and their dietary prohibition are by no means identical, Christians from the 2nd cent. onwards saw no distinction between them.

⁸ Paralleled in Mark 7:15. The original meaning of this saying is contested; see Yair Furstenberg, "Defilement Penetrating the Body: A New Understanding of Contamination in Mark 7.15," *NTS* 54 (2008) 176–200.

⁹ This position was commonly countered by prooftexts such as Gen 1:31 or 1 Tim 4:4. See *Diogn.* 4.2; Clement, *Paed.* 2.1.8; Origen, *Comm. Matt.* 11.12; idem, *Comm. Rom.* 9.42.3; Novatian, *Cib. Jud.* 2; Aphrahat, *Dem.* 15; Chrysostom, *Hom. 1 Tim.* 12; Augustine, *Faust.* 31.4; Ephrem, in *The Discourses Addressed to Hypatius* (ed. C. W. Mitchell; vol. 1 of *S. Ephraim's Prose Refutations of Mani, Marcion, and Bardaisan*; Text and Translation Society; London: Williams and Norgate, 1912) 109–10; Eznik of Kolb, *Eights aghandots'* (On God) 63 (in *A Treatise on God Written in Armenian by Eznik of Kolb* [trans. Monica J. Blanchard and Robin Darling Young; Eastern Christian Texts in Translation 2; Louvain: Peeters, 1998] 199–202). For Ephrem, see Thomas Kremer, "Gute und böse Tiere im Genesiskommentar Ephräms des Syrers," in *Papers Presented at the Fifteenth International Conference on Patristic Studies Held in Oxford 2007* (ed. Jane Ralls Baun et al.; StPatr 45; Louvain: Peeters, 2010) 221–27. The conception of the natural impurity of "evil animals" in these authors may be ultimately rooted in Zoroastrianism, for which see Mahnaz Moazami, "Evil Animals in the Zoroastrian Religion," *HR* 44 (2005) 300–317; for application to dietary law, see Philippe Gignoux, "Dietary Laws in Pre-Islamic and Post-Sasanian Iran: A Comparative Survey," *Jerusalem Studies in Arabic and Islam* 17 (1994) 16–42. On the discourse of alimentary asceticism and heresy in late antiquity, see Teresa M. Shaw, "Vegetarianism, Heresy, and Asceticism in Late Ancient Christianity," in *Eating and Believing: Interdisciplinary Perspectives on Vegetarianism and Theology* (ed. David Grumett and Rachel Muers; London: T&T Clark, 2008) 75–95.

(δόγματα); it derives not from the essence of animals, which do not share moral statuses with humans, but from the human mind.¹⁰ According to many Christian writers, the Jewish position was the opposite: the dietary laws were based on an essential and natural distinction between different animals and foods.

The Christian position against the practice of dietary laws, however, was not as clear-cut as this. First, in practice, many Christians adhered to certain dietary laws, some of them similar to the Jewish dietary laws: abstinence from blood and food offered to idols were the most common observances.¹¹

Second, since most Christians upheld the validity of the Old Testament, the prohibitions of Leviticus had to be explained in a way that neutralized their practical significance. Three main types of explanations were proposed: allegorical, ascetic, and historical. Allegorical solutions interpreted the pure and impure animals of Leviticus as symbolizing various kinds of good or evil people. Such interpretations were found already in Jewish Hellenistic authors and were developed by Clement and Origen of Alexandria, Novatian, Augustine, and many other Latin and Greek authors; they were later dominant in the exegesis of medieval Latin writers.¹² These

¹⁰ Origen, *Comm. Matt.* 11.12. See further *idem*, *Comm. Rom.* 10.3.2; Novatian, *Cib. Jud.* 3. For the Stoic antecedents to this line of thought, see Sorabji, *Animal Minds*, esp. 7–16, 107–33; Gilhus, *Animals, Gods and Humans*, 37–63. Christian writers typically held to the (Stoic) view that animals and humans inhabit totally different planes as regards moral and intellectual abilities; this is seen, for example, in Christian polemics on the impossibility of the reincarnation of a human soul in an animal body. See Gilhus, *Animals, Gods and Humans*, 86–90; 175–76; Sorabji, *Animal Minds*, 195–207. Nature was at the heart of debates over the dietary laws already in Greek writings of Second Temple Judaism; see *Let. Aris.* 129, 143–50; 4 Macc 5:8–9; and Philo, *Spec.* 4.100–118. For the relationship between nature and law in Second Temple writings, see R. A. Horsley, “The Law of Nature in Philo and Cicero,” *HTR* 71 (1978) 35–59; Markus Bockmuehl, “Natural Law in Second Temple Judaism,” *VT* 45 (1995) 17–44; and Hindy Najman, “The Law of Nature and the Authority of Mosaic Law,” *SPhilo* 11 (1999) 55–73.

¹¹ See Acts 15:29, which prohibits eating food polluted by idols, meat of strangled animals, and blood; Marcel Simon, “The Apostolic Decree and Its Setting in the Ancient Church,” *BJRL* 52 (1970) 437–60; and Jürgen Wehnert, *Die Reinheit des ‘christlichen Gottesvolkes’ aus Juden und Heiden. Studien zum historischen und theologischen Hintergrund des sogenannten Aposteldekrets* (FRLANT 173; Göttingen: Vandenhoeck & Ruprecht, 1997). The perception of food offered to idols as polluted was maintained by Christians in the following centuries; see Alex T. Cheung, *Idol Food in Corinth: Jewish Background and Pauline Legacy* (JSNTSup 176; Sheffield, U.K.: Sheffield Academic Press, 1999) 210–77. There is much evidence that the prohibition on blood was also maintained in many communities into the early Middle Ages. Certain animals were commonly not eaten by Christians in the East; thus, the *Canons of Jacob of Edessa* 14 prohibit the camel, wolf, and ass (for which see *The Synodicon in the West Syrian Tradition* [ed. and trans. Arthur Vööbus; 4 vols.; CSCO 367–68, 375–76; Louvain: Secrétariat du CorpusSCO, 1975–1976] 3:246), while Basil the Great had to affirm that pork is permitted (*Ep.* 199.28). Many Eastern sources are collected by Karl Böckenhoff, *Speisesetzungen mosaischer Art in mittelalterlichen Kirchenrechtsquellen des Morgen- und Abendlandes* (Münster: Aschendorff, 1907).

¹² See S. Stein, “The Dietary Laws in Rabbinic and Patristic Literature,” in *Papers Presented to the Second International Conference on Patristic Studies Held at Christ Church, Oxford, 1955* (ed. Kurt Aland and F. L. Cross; StPatr 2; TUGAL 64; Berlin: Akademie-Verlag, 1957) 141–54. Major early discussions are *Let. Aris.* 150; Philo, *Spec.* 4.106–7; *Barn.* 10; Clement, *Paed.* 3.11; Irenaeus, *Haer.* 5.8.3; Origen, *Hom. Lev.* 7.6–7; and Augustine, *Faust.* 16.30.

writers frequently pointed to certain traits of the impure animals (fierceness, sexual promiscuity, etc.) that made them suitable for symbolic interpretation. Novatian, who wrote a whole tract dedicated to the dietary laws, explains this through an argument *ad maiorem*: “If what an animal has from its own nature [*ex natura*] is stigmatized as a sort of defilement [*quasi inquinamentum*], then the same thing is more blameworthy when found in man against his nature [*contra naturam*] . . . a perverted will—never nature—always assumes the burden of guilt.”¹³ In animals, vices can only be a “sort of defilement,” since they are natural.

The ascetic solutions of Christians generalized the biblical dietary laws by seeing them as pointers for a correct dietary regime rather than as injunctions on particular foods. They thus upheld the laws’ general practical validity while undermining their application according to Jewish law. For the few writers utilizing these solutions, the dietary laws did have a direct meaning, and the impure animals were not only symbols of certain vices but examples for types of food that should not be eaten for reasons inherent in the animals themselves. Thus Clement of Alexandria explains that swine and fish without scales are fat and fattening, and therefore forbidden in order to “discipline us” and “check our desires.”¹⁴ Origen finds a different natural reason for the dietary laws: in *Against Celsus*, he argues that “the most rapacious wild beasts and other very wicked animals” are especially prone to possession and utilization by demons. The demons choose these animals because of their natural vices: “animals of this sort have something about them resembling evil, and although it is not evil yet it is like it.” According to Origen, Moses “understood the different natures of animals [φύσεις κατανοήσας ζώων διαφόρους],” and prohibited those frequented by demons.¹⁵

Many Greek and Syriac writers proposed historical solutions. These writers argued that God indeed commanded the dietary laws to the Israelites, but that they were a response to the specific historical situation of the exodus from Egypt and thus do not obligate Christians. Popular options were that the dietary laws were a

¹³ Novatian, *Cib. Jud.* 3.2 (in *Novatiani opera quae supersunt* [ed. G. F. Diercks; CCSL 4; Turnhout, Belgium: Brépols, 1972] 94; translation in *The Trinity; The Spectacles; Jewish Foods; In Praise of Purity; Letters* [trans. Russel J. DeSimone; FC 67; Washington, D.C.: Catholic University of America Press, 1981] 148).

¹⁴ Clement, *Strom.* 2.20.105 (in *Les stromates* [ed. and trans. Claude Mondésert et al.; 7 vols.; SC 30, 38, 278–79, 428, 446, 463; Paris: Cerf, 1951–2001] 2:115; translation mine); and see further Clement, *Paed.* 1.17; Tertullian, *Marc.* 2.20.1; *idem, Jejun.* 5; and Novatian, *Cib. Jud.* 4. The idea is found already in Philo, *Spec.* 4.100–101.

¹⁵ Origen, *Cels.* 4.92–93 (in *Die Schrift vom Martyrium. Buch I–IV Gegen Celsus* [ed. Paul Koetschau; vol. 1 of *Origenes Werke*; Leipzig: Hinrichs, 1899] 365–66; translation in *Contra Celsum* [trans. Henry Chadwick; Cambridge, U.K.: Cambridge University Press, 1980] 257–58). See also Origen, *Hom. Num.* 16.7.13. The link between defiled food and demons is rooted in Paul’s explanation for the prohibition of food sacrificed to idols (1 Cor 8:4–13; 10:19–21). See Peter D. Gooch, *Dangerous Food: I Corinthians 8–10 in Its Context* (Studies in Christianity and Judaism 5; Waterloo, Ont.: Wilfrid Laurier University Press, 1993); Cheung, *Idol Food in Corinth. A connection (and contrast) between the dietary laws and food sacrificed to idols* is made by Clement, *Paed.* 2.8.3–9.1; Origen, *Comm. Matt.* 11.12; and Jerome, *Comm. Matt.* 15.11.

punishment for the sin of the golden calf¹⁶ or that they were attempts to educate the Israelites not to worship the zoomorphic gods of Egypt.¹⁷ The distinction found in Genesis 7 between pure and impure animals would appear to challenge this historical reconstruction; it demonstrates that long before the Israelites' exodus from Egypt, animals were already divided into pure and impure categories.

However, some of these writers found natural reasons for the temporary prohibition of the impure animals. Justin Martyr, the earliest Christian exponent of a historical solution, says that these animals were "impure, harmful, and lawless [ἀκαθάρτων καὶ ἀδίκων καὶ παρανόμων]."¹⁸ For Justin, though the prohibition of the animals only arises in a certain situation and for a specific nation, the natural impurity of the animals—linked to their violence and disregard for the natural law—is a permanent situation.¹⁹ Though Justin does not mention Noah, his identification of impurity with harmfulness was to provide the way forward for the Christian understanding of Noah's animals.

Eusebius of Emesa, a fourth-century exegete, goes further. Following a citation of the historical solution, he adds another interpretation:

And the second reason is that common nature [κοινὴ φύσις] frequently abominates taking [animals] which are large or ugly or which eat carcasses, due to a preconception of aversion [πρόληψιν μίσους]. Therefore that which custom [συνήθεια] took before [to be abominated], the law did not overturn.²⁰

The dietary laws were therefore simply codifications of common sense, the natural sense of repugnance and disgust all people experience. At the same time, they were a codification of the particular customs of Israel. This natural interpretation was certainly not accepted by all. Thus Eusebius's younger and better-known

¹⁶ See Justin, *Dial.* 20; *Did. apost.* 26; Methodius of Olympus, *Cib.* 7; and in the Syriac tradition, Aphrahat, *Dem.* 15; Ephrem [attr.], *Comm. Lev.* 11 (in *Sancti patris nostri Ephraem Syri opera omnia* [ed. Giuseppe Assemani; 6 vols.; Rome: Ex Typographia Vaticana, 1732–1746] 1:241); Theodore Bar Koni, *Lib. schol.* 3.41 (in *Livre des scolies (recension d'Urmiah)* [ed. and trans. Robert Hespel; CSCO 447; Louvain: Peeters, 1983] 175); Ishodad of Merv, *Comm. Lev.* 11 (in *Exode-Deutéronome* [ed. Ceslas van den Eynde; vol. 2 of *Commentaire d'Ishodad de Merv sur l'Ancien Testament*; CSCO 176; Louvain: Secrétariat du CorpusSCO, 1958] 69).

¹⁷ Eusebius of Emesa on Lev 11:2 (cat. frg. in *Les anciens commentateurs grecs de l'Octateuque et des Rois (Fragments tirés des chaînes)* [ed. Robert Devreesse; Studi e testi 201; Vatican City: Biblioteca apostolica vaticana, 1959] 95); Theodoret, *Quaest. Lev.* 11, in *The Questions on the Octateuch* (ed. and trans. John Petruccione and Robert C. Hill; 2 vols.; Library of Early Christianity 1–2; Washington, D.C.: Catholic University of America Press, 2007) 2:28–32; Aphrahat, *Dem.* 15.

¹⁸ Justin, *Dial.* 20.4 (in *Dialogus cum Tryphone* [ed. Miroslav Marcovich; PTS 47; Berlin: De Gruyter, 1997] 102; translation mine).

¹⁹ See late 2nd-cent. bishop Theophilus of Antioch, *Autol.* 2.16–17, who explains that although animals were all created equally good and "of one nature [ἐκ μιᾶς φύσεως]," the wild animals later became evil and carnivorous against the "law of God," "for when man transgressed, they also transgressed with him" (as translated in ANF 3:83–84). The animals will return to their original purity and tameness in the eschaton. See further Isa 65:25; Origen, *Hom. Ezech.* 11.3.3; *Acts Phil.* 8.96–100; and in Jewish sources *Midr. Ps.* 146; *Gen. Rab.* 20.5.

²⁰ Above n. 17; translation mine.

contemporary, John Chrysostom, expounded to his congregation: “The swine therefore is pure. Why then was it forbidden as impure? It was not impure by nature; for, ‘all things are pure.’ Nothing is more impure than a fish, inasmuch as it even feeds upon human flesh. But it was permitted and considered pure. Nothing is more impure than a bird, for it eats worms. . . .”²¹ Chrysostom appears to be responding here to an argument that the dietary laws have a universal or natural basis, since pure animals have a clean diet. While we cannot know whether Chrysostom is responding here to a contemporary Jewish argument, to the exegesis of Eusebius of Emesa, or to some other textual tradition, the first option is certainly possible in light of the known interaction of Christians with Jews in contemporary Antioch.

Origen’s claim that impurity cannot be essential or natural must therefore be qualified. Many Christian writers, including Origen himself, did see some natural distinctions between animals and believed that these distinctions had implications for their dietary status, at least in the past. While Origen enlists demons to explain how this impurity is manifested, Justin and Eusebius of Emesa simply say that such animals are, or were, impure or disgusting.

■ Noah’s Animals in Christian Exegesis

Origen is the author of the earliest extant attempt to understand the basis for Noah’s distinction between pure and impure animals and to integrate it into a general conception of impurity. Asking how Noah knew about the distinction between pure and impure animals before the law had been given, Origen answers: “This should be understood according to what is said (Rom 2:14): ‘Indeed, when Gentiles, who do not have the law, do by nature things required by the law’; Noah knew this law by his nature [ἀπὸ τοῦ φύσει νόμου ἡπίστατο ὁ Νῶε].”²²

²¹ *Hom. Tit.* 3; translation adapted from John Chrysostom, *Homilies on Galatians, Ephesians, Philippians, Colossians, Thessalonians, Timothy, Titus, and Philemon* (ed. Philip Schaff; NPNF¹ 13; Grand Rapids, Mich.: Eerdmans, 1956) 530. The impurity of fish and pigs due to their eating habits (man- and mud-eating for fish, scatophagy for pigs) is already found in classical authors; see Robert Parker, *Miasma: Pollution and Purification in Early Greek Religion* (Oxford: Oxford University Press, 1983) 360. See further Origen, *Fr. Matt.* 137 I (in *Origenes Matthäuserklärung III. Fragmente und Indices* [ed. Erich Klostermann and Ludwig Früchtel; vol. 12 of *Origenes Werke*; Leipzig: Hinrichs, 1941] 68). Chrysostom’s argument is reproduced in 7th-cent. Jewish-Christian disputations written in Greek: Gustave Bardy, ed., “Les Trophées des Damas. Controverse judéo-chrétienne du VIIe siècle,” *PO* 15 (1927) 172–292, at 248; Pseudo-Anastasius of Sinai, *Dial. parv.* (PG 89:1271D–1273A). The dietary prohibition of animals that consume blood or carrion was common in early medieval Western penitentials and canons. Many of these traditions are ascribed to two writers originating from Syria, Theodore of Tarsus and Gregory III; see Rob Meens, “Pollution in the Early Middle Ages: The Case of the Food Regulations in Penitentials,” *Early Medieval Europe* 4 (1995) 3–19.

²² Origen, *Sel. Gen.* (PG 12:105), in *Origenes. Die Kommentierung des Buches Genesis* (ed. and trans. Karin Metzler; *Origenes: Werke mit deutscher Übersetzung* 1.1; Berlin: De Gruyter, 2010) frg. E10, p. 209; translation mine. A very similar question and answer is found in Procopius of Gaza, *Comm. Gen.* (PG 87A:280D); John Cassian, *Coll.* 8.23. For the question only, see Jerome, *Epist.* 35. For Origen’s use and development of the concept of natural law, see W. A. Banner, “Origen and the

Origen implements the “law by nature” idea in a gloss on Gen 9:3, which commands Noah that “every crawling thing that lives shall be food for you.” This verse was usually taken to permit the eating of all animals (see above n. 5), but Origen claims that it does not include “the snake family—for they are considered wild animals—but only those that are disposed to be eaten by nature [ἀλλ’ ὅσα ἐσθίεσθαι πέφυκεν], crickets and grasshoppers and the like.”²³ Crickets and grasshoppers are permitted by Leviticus while snakes are prohibited (Lev 11:22, 42); Origen is therefore suggesting that the nature of the animals permitted by Leviticus is to be eaten, and moreover that Noah and his generation practiced the Levitical law, at least concerning reptiles and “wild animals.” This gloss is especially striking as it clearly contradicts the simple meaning of the verse.

Origen’s suggestion that the dietary laws could be known without a special revelation accords with his unique demonological explanation of animal impurity described above. Moses gained his knowledge of the connection between demons and impure animals “either because he had learnt from God about them and about the daemons related to each animal, or because he had discovered about them himself as he advanced in wisdom.”²⁴ If Moses understood this fact of nature, Noah could certainly have done so as well. However, Origen does not mention the demonological theory in these fragments, and it is more likely that he was thinking of a simpler distinction between wild and domestic animals.

Both Jewish and Christian thinkers advance the theory that the patriarchs had some innate understanding of God’s law. Philo utilizes it widely in his attempts to universalize the moral import of the lives of the patriarchs and authorize the Mosaic laws.²⁵ Justin Martyr and Irenaeus build upon this tradition to undermine the authority of the Mosaic law as a holistic entity: the ritual part of the law was not performed by the patriarchs, who were nevertheless righteous because they performed its moral precepts, which are universal and still binding upon Christians.²⁶ In the case of Noah’s animals, however, the matter is not that of a moral commandment, but a distinctly ritual issue, and it is thus surprising to find

Tradition of Natural Law Concepts,” *DOP* 8 (1954) 49–82; Riemer Roukema, “Law of Nature,” in *The Westminster Handbook to Origen* (ed. John A. McGuckin; Westminster Handbooks to Christian Theology; Louisville: John Knox Press, 2004) 140–41.

²³ *Kommentierung des Buches Genesis* (ed. Metzler), frg. E17, p. 214; translation mine.

²⁴ *Cels.* 4.93 (above n. 15); see also *Cels.* 5.49.

²⁵ Philo, *Spec.* 4.100–118.

²⁶ Justin, *Dial.* 44–46; Irenaeus, *Haer.* 4.16.3; and *Did. apost.* 26. See Theodore Stylianopoulos, *Justin Martyr and the Mosaic Law* (SBLDS 20; Missoula, Mont.: Scholars Press, 1975); Marinus de Jonge, “The Pre-Mosaic Servants of God in the Testaments of the Twelve Patriarchs and in the Writings of Justin and Irenaeus,” *VC* 39 (1985) 157–70. See also Tertullian, *Adv. Jud.* 2.2–10, with Sabrina Inowlocki, “Tertullian’s Law of Paradise (*Adversus Judaeos* 2): Reflections on a Shared Motif in Jewish and Christian Literature,” in *Paradise in Antiquity: Jewish and Christian Views* (ed. Markus N. A. Bockmuehl and Guy G. Stroumsa; Cambridge, U.K.: Cambridge University Press, 2010) 103–19; Eusebius, *Dem. ev.* 1.2, *Praep. ev.* 7.3–8, with Aryeh Kofsky, *Eusebius of Caesarea against Paganism* (Jewish and Christian Perspectives 3; Boston: Brill, 2000) 100–122.

Origen invoking human nature to support it. Furthermore, the upshot of Origen's explanation is that impurity is in certain cases a natural phenomenon.

The difficulty was felt by John Chrysostom, who adapted Origen's explanation to the problem of Noah's animals. In his discussion in the *Homilies on Genesis*, Chrysostom attempts to bridge the nature-culture divide—to demonstrate that impurity is artificial and a matter of custom, but yet part of God's plan for the world:

To this point this distinction had never been made which Moses later prescribed for the Jews. So how did he come to know of it? By himself, under the impulse of the teaching implanted in his own nature [ἐν τῇ φύσει ἐναποκειμένης], and later at the dictate of reason [λογισμὸς] as well. You see, nothing of what was made by God is impure. . . . Now, however, nature under its own impulse [ἡ φύσις ἀφ' ἔαυτῆς κινουμένη] gave evidence of this distinction. For proof that this is true, consider even now, I ask you, how in some places people abstain from some things as impure and not customary [ἀκαθάρτων καὶ μὴ νενομισμένων], while others in their turn partake of them, custom [συνηθείας] leading them to do so. So in this way in the present case also, innate awareness [ἡ ἐναποκειμένη γνῶσις] taught the good man what was useful for nourishment, on the one hand, and what was impure, on the other—not in fact but in people's opinion. On what basis, tell me, do we regard the ass as impure, even though it feeds on nothing but hay, whereas we consider the other kinds of animals suitable for eating even though their food includes impure items? This is the way the knowledge endowed by God on our nature becomes a teacher in these matters.²⁷

For Chrysostom, Noah's "pure" and "impure" animals correspond to animals that should and should not be eaten. His explanation distinguishes between animal nature, which cannot be the source for valid dietary laws, and human nature, which can. Chrysostom implies that Noah's distinction is a result of Noah's own cultural preferences and not a general human rule; at the same time, however, he emphasizes that the distinction is God-given, probably since he understands it to correspond to the laws of Leviticus.²⁸ He thus attempts to hold to both sides of the argument and to derive Noah's distinction both from culture and from nature in order to adapt Scripture to his belief in the artificiality of impurity.

Neither Origen nor Chrysostom provides any criteria for Noah's distinction; they appear to assume that Noah's impure animals were those of Leviticus. Ephrem, the father of Syriac exegesis, is the first to provide such criteria: "he called the

²⁷ *Hom. Gen.* 24.16; translation adapted from *John Chrysostom: Homilies on Genesis 18–45* (trans. Robert C. Hill; FC 82; Washington, D.C.: Catholic University of America Press, 1990) 116–17.

²⁸ Compare Theodoret [attr.], *Quaestiones et responsiones ad orthodoxos*, quae. 47 (ed. Athanasios Papadopoulos-Kerameus [St. Petersburg: Kirshbaum, 1895; repr., Leipzig: Zentralantiquariat, 1975] 52–53), for whom Noah's abstinence from impure animals was voluntary and ascetic in motivation, and not due to Mosaic law. This text is generally dated to the 5th cent.; see also Jerome, *Jov.* 2.15, who cites the impure animals of Noah's ark as evidence for the importance of fasting, and comments: "of course eating the impure [*immundorum*] was forbidden, otherwise there would be no reason to call it impure" (PL 23:306A–B; translation mine).

gentle animals [*besimta*] pure [*dekhita*] and the vicious ones [*sruhita*] impure [*dela dakhin*]; for even in the beginning God had multiplied the pure ones.”²⁹ Ephrem does not clarify whether this gentle/vicious distinction corresponds to the pure/impure distinction of Leviticus or whether it is independent—or indeed whether the distinction has a dietary meaning or is simply a way of designating these animals. The biblical text does not afford any basis for this exegesis: the Syriac Peshitta translation here uses the same word to refer to both types of animals, *be'ira*, corresponding to the Hebrew *behemah*, both of which usually mean “domestic animal” or simply “animal.”

The third- and fourth-century Christian exegetes who have been discussed until now do not appear to have had a strong polemical motivation, but rather a relatively straightforward exegetical motivation to solve the textual problem of the source of Noah’s distinction. The lack of an anti-Jewish polemical motivation is especially seen in Origen, who takes a somewhat dangerous “natural” position on dietary impurity. In the eighth century, however, these traditions were used much more radically and polemically by Syriac writers. This direction is taken most clearly in *The Disputation of Sergius the Stylite against a Jew*, a text purporting to document a dialogue between a Christian ascetic and a Jew in the region of Emesa in West Syria.³⁰

The *Disputation*’s discussion of the Jewish dietary laws is extensive and intricate, part of a general debate between Sergius and the Jew on purity and impurity. The Jew’s main objective in this debate is to prove that impurity is rooted in nature, and not in a specific revelation for Jews. He therefore highlights two issues concerning the status of the pig, both of which are direct challenges to the perception of impurity as artificial: the pig as a disgusting and non-hygienic animal, and the

²⁹ Ephrem, *Comm. Gen.* 6.9.1 (in *Sancti Ephraem Syri in Genesim et in Exodum comentarii* [ed. and trans. Raymond Tonneau; 2 vols.; CSCO 152–53; Scriptores Syri 71–72; Louvain: Durbecq, 1955] 1:59; translation in *Selected Prose Works* [trans. Edward G. Mathews, Joseph P. Amar, and Kathleen E. McVey; FC 91; Washington, D.C.: Catholic University of America Press: 1994] 139). Ephrem, as well as Basil of Seleucia (*Orat. 6: On Noah, Sermones XLI* [PG 85:96]), Augustine (*Civ. 15.27*), and Romanos (*Kontakia 2.7* [in *Hymnes I. Ancien Testament (I–VIII)* [ed. and trans. José Grosdidier de Matons; SC 99; Paris: Cerf, 1964] 112]), describe the animals as coming of their accord or by God’s will, thus reducing the need for Noah to differentiate between them independently.

³⁰ Allison P. Hayman argues conclusively for a date between 730 and 770 (*The Disputation of Sergius the Stylite against a Jew* [2 vols.; CSCO 338–39; Louvain: Sécretariat du CorpusSCO, 1973] 2:3*). Recent scholarship has disputed the degree to which the numerous Jewish-Christian dialogues of the 6th to 9th cents. reflect real disputations with Jews, as opposed to purely literary-fictional works that provided a means for the Christian community to strengthen its self-image and social and theological cohesion when faced with the rise of Islam. See Vincent Déroche, “Polémique anti-judaïque et émergence de l’islam,” *Revue des Études Byzantines* 57 (1999) 141–61; David Olster, *Roman Defeat, Christian Response, and the Literary Construction of the Jew* (Philadelphia: University of Pennsylvania Press, 1994); Averil Cameron, “Byzantines and Jews: Some Recent Work on Early Byzantium,” *Byzantine and Modern Greek Studies* 20 (1996) 249–74; and Shaun O’Sullivan, “Anti-Jewish Polemic and Early Islam,” in *The Bible in Arab Christianity* (ed. David R. Thomas; History of Christian-Muslim Relations 6; Leiden: Brill, 2007) 49–68.

pig as impure according to Noah's distinction between pure and impure. Eating pork was probably a significant dietary difference between Jews and Christians in eighth-century Syria;³¹ moreover, the perception of the prohibition of the pig as the central Jewish dietary law is common already in pre-Christian Greco-Roman sources and continued to be popular throughout late antiquity.³² Sergius's objective is to prove the traditional Christian opinion on impurity: that it does not originate from nature but from the human mind.

First, the Jew reasons that the pig should be abhorred due to its appearance and food, i.e., its natural behavior: "Why do you eat the pig which is the most defiled and impure [*mesib wetame*] among the animals, and which the law also declares more impure and defiled than all animals. And also its appearance is abominable [*nadid*] to look upon. For its food is every impure thing on the face of the earth."³³ Sergius responds with an answer modeled on that of Chrysostom's *Homilies on Titus*: aesthetic and hygienic principles cannot be the basis for prohibiting the pig, since pigs indeed eat disgusting things, but so do chickens and certain fish, which are permitted, while camels, donkeys, and horses eat pure grass but are forbidden to Jews.³⁴ Chrysostom's writings were widely translated, read, and used by late ancient Syriac speakers.³⁵

Next, the Jew raises the challenge of the distinction between pure and impure animals entering Noah's ark. Sergius responds as follows:

³¹ Zooarchaeology shows that pigs were typically consumed in the region, though in small quantities; see Melinda A. Zeder, "The Role of Pigs in Near Eastern Subsistence: A View from the Southern Levant," in *Retrieving the Past: Essays on Archaeological Research and Methodology in Honor of Gus W. Van Beek* (ed. Joe D. Seger; Winona Lake, Ind.: Eisenbrauns, 1996) 297–311. A higher-resolution analysis determining ethnicity or religiosity according to the presence of pig remains is fraught with methodological difficulties; see Justin Lev-Tov, "'Upon What Meat Doth This Our Caesar Feed . . . ?' A Dietary Perspective on Hellenistic and Roman Influence in Palestine," in *Zeichen aus Text und Stein: Studien auf dem Weg zu einer Archäologie des Neuen Testaments* (ed. Stefan Alkier and Jürgen Zangenberg; Texte und Arbeiten zum neutestamentlichen Zeitalter 42; Tübingen: Francke, 2003) 420–46. The literary sources assume that Christians in general consumed pork, though some groups may have abstained from it actively; see Basil of Caesarea, *Ep.* 199.28; *The Work of Dionysius Barṣalībi against the Armenians* (ed. Alphonse Mingana; Cambridge, U.K.: Heffer & Sons, 1931) 539. Gilbert Dagron writes: "pork held the same position in the seventh to twelfth centuries that it did in the Roman world. The progressive Islamization of the Near East did not make its use disappear or even diminish in Byzantine territories" ("The Urban Economy, Seventh–Twelfth Centuries," in *The Economic History of Byzantium: From the Seventh through the Fifteenth Century* [ed. Angeliki E. Laiou; 3 vols.; Dumbarton Oaks Studies 39; Washington, D.C.: Dumbarton Oaks, 2002] 2:393–461, at 447).

³² Jordan Rosenblum, "'Why Do You Refuse to Eat Pork?' Jews, Food, and Identity in Roman Palestine," *JQR* 100 (2010) 95–110; Peter Schäfer, *Judeophobia: Attitudes toward the Jews in the Ancient World* (Cambridge: Harvard University Press, 1998) 66–81; and Resnick, "Dietary Laws."

³³ Sergius, *Disp.* 18.1 (in *Disputation* [ed. Hayman], 1:58; trans. 2:57).

³⁴ Sergius, *Disp.* 18.4 (in *Disputation* [ed. Hayman], 1:58; trans. 2:57).

³⁵ For a bibliography on translations of Chrysostom into Syriac, see Arthur B. Shippee, "The Known Syriac Witnesses to John Chrysostom's Catecheses, and New Manuscript Sources," *Le Muséon* 109 (1996) 87–111.

When they entered into the ark he called the pure by name [*kara bishma dekhita*], that is, the harmless [*teminta*], which are exploited for food both by men and those [animals] which are impure [*dela dakhin*], namely, the wild, rapacious, and bold [*hableta wehasifta*] beasts, which even until today are inferior in fertility—the lions, the leopards, and the rest. And again, behold, we see that these which are food are fertile. Even this pig, whose name is detestable in your sight, is not placed on the side of the impure by Noah's action. For it is not reckoned with the wild beast but with the driven and those which are eaten. And because it is exploited more than all animals, so God has increased its fertility. By this the creator has testified concerning it that it is not impure for men's food, for those whose conscience accepts it.³⁶

Ephrem's exegesis is at the core of this response, but it is much expanded. While for Ephrem Leviticus and Genesis are not clearly differentiated, here Noah's pure animals are pointedly *not* those of Leviticus 11 and can therefore include the pig. Sergius argues that the words “pure” (*dekhita*) and “impure” (*dela dekhita*) can have a technical, ritual meaning that indicates the essence of the animal, as in Leviticus, or a more general meaning of acceptance or opprobrium as food that is only its “name,” and that this latter usage is the one of Genesis. Thus the fact that the impurity of animals in Genesis is natural does not imply the naturalness of the impurity of animals in Leviticus. Sergius's alternative meaning of dietary purity and impurity is built on a perfectly circular argument: animals called “pure” by Noah are those that are eaten (by contemporary Christians), and therefore the animals that these Christians eat are those that Noah called pure. Noah is cast in the image of an eighth-century Christian, who would be ready to load the ark with seven pairs of pigs.

Building on Ephrem's short comment, Sergius establishes a scientific measure for his dietary purity system: highly fertile animals must have been created to be domesticated and eaten. The notion itself is ancient: Herodotus claims that, thanks to the wisdom of divine providence, timid animals that are a prey to others produce many offspring so the species are preserved, while savage and dangerous creatures are unfruitful.³⁷ The connection between Noah's animals and the fertility arguments is explained more satisfactorily by Theodore Bar Koni in his *Book of Scholia*, written at the end of the eighth century. Theodore says that Noah distinguished between the animals “by their number, few or many . . . those which were created seven by seven were pure—those which we eat were called pure, in comparison to those which are not eaten, all the carnivores—and the two by two impure, having taught us this by the terms of purity and impurity.”³⁸ It is not only that Noah was

³⁶ Sergius, *Disp.* 19.11 (in *Disputation* [ed. Hayman], 1:61; trans. 2:61).

³⁷ Herodotus, *Hist.* 3.108.2; see similarly Plato, *Prot.* 321b; Lactantius, *Opif.* 2, with Frank N. Egerton III, “Ancient Sources for Animal Demography,” *Isis* 59 (1968) 175–89. And see *Gen. Rab.* 20.4 and *b. Bek.* 8a.

³⁸ Theodore Bar Koni, *Lib. schol.* 2.105. See also Basil of Seleucia, cited above at n. 29, who speaks of the number of animals arriving at the ark as a source for Noah's discernment but does not mention their present fertility.

commanded to take seven of all edible animals, but rather that the edible animals were created “seven by seven,” naturally making them more numerous.³⁹

A commentary on Genesis attributed to Ephrem and extant in Armenian, probably written in Syriac in the eighth century,⁴⁰ provides a very similar explanation to that of Sergius:

It is not that [God] had separated for [Noah] the pure from the impure. Rather, those [animals] that by habit could not satisfy their needs and [those animals] at which they were disgusted and abhorred [God] called “impure.” And those [animals] which were acceptable in their minds—I speak here of Noah and those who were like him—these [God] designated “pure.”⁴¹

At the same time, pseudo-Ephrem cites a natural basis for this customary distinction: the pure are “those who will not eat the flesh of their companions,” while the impure are the “savage ones.” As in Sergius, the proof is found in numbers: “if you do not believe this, see which type is more numerous, those that are eaten or those that are not eaten: be convinced by what you can observe and not by the word.”⁴² Though pseudo-Ephrem does not mention the pig or a Jewish interlocutor, this last phrase indicates that his motive, too, is polemical: the writer imagines himself as arguing with another reader of Scripture who would prefer to be convinced “by the word” and think that God *had* distinguished pure from impure as a dietary law, and had not just used conventional language.

The Christian exegetes surveyed in this section all express a tension among animal nature, human nature, and dietary law. On the one hand, the biblical dietary laws should not be rooted in nature, as that would indicate an essential impurity in creation; on the other hand, linking contemporary dietary laws to nature and to the Bible makes them less arbitrary. While Origen is prepared to hint that Noah’s common sense may have led him to keep the Levitical dietary laws, later commentators are more careful and attempt to extract Noah from adherence to these laws, and his animals from possessing essential dietary purity and impurity. Chrysostom attempts to endow Noah’s customary distinctions with divine approval, and thus to indicate that it was these distinctions, and not essential differences in animals, that were the source of the impurity. Ephrem does locate natural criteria,

³⁹ Moses Bar Kepha, a 9th-cent. Syriac writer, also buttresses his scientific claim that the edible animals are more numerous than the nonedible by appealing to Noah’s ark (*Commentary on the Hexaemeron* 43 [*Der Hexaemeronkommentar des Moses bar Kepha. Einleitung, Übersetzung und Untersuchungen* [ed. and trans. Lorenz Schlimme; 2 vols.; Göttinger Orientforschungen, 1. Reihe, Syriaca 14; Wiesbaden: Harrassowitz, 1977] 2:496]). For later Eastern sources, see Barhebraeus, *Scholia on the Old Testament, Part 1: Genesis–II Samuel* (ed. Martin Sprengling and William Creighton Graham; OIP 13; Chicago: University of Chicago Press, 1931) 36–37, and the 12th–13th cent. Arabic catena published by Paul de Lagarde, *Materialien zur Kritik und Geschichte des Pentateuchs* (2 vols.; Leipzig: Treubner, 1867) 1:73–74.

⁴⁰ Introduction to *The Armenian Commentary on Genesis Attributed to Ephrem the Syrian* (ed. and trans. Edward G. Mathews; 2 vols.; CSCO 572–73; Louvain: Peeters, 1998).

⁴¹ Ibid., 2:65.

⁴² Ibid., 2:66.

but in order to support a concept of purity and impurity independent from that of Leviticus, which may not be dietary at all. Eighth-century Syriac writers use these same natural criteria to form the basis for an alternative dietary regime to that of the Jewish dietary laws.

Rabbinic and Post-Rabbinic Jewish Sources

Rabbinic texts, as opposed to Hellenistic-era Greek Jewish texts, do not show much interest in linking divine law to nature: “Whether nature bears out the truth of the law is neither here nor there: what matters is the divine commandment.”⁴³ This is commensurate with the tendency of many rabbinic texts to limit the significance of the commandments to Israel rather than to universalize their import.⁴⁴ This is true also of the dietary laws: they are described as benefitting Jews who fulfill them in the world to come, rather than in the present life,⁴⁵ and neither animal nature nor human nature is invoked to support them. To the extent that explanations are provided for the dietary laws, these are social or symbolic, not hygienic or aesthetic.⁴⁶ One saying cited in the Babylonian Talmud appears to claim that Gentiles are in fact healthier because they eat impure animals.⁴⁷

Nevertheless, there are some counterexamples in rabbinic texts, which attempt to show that the impurity of certain foods is linked to natural distinctions and to inherent disgust. A saying cited in the name of late third-century rabbis provides a natural moral reason for the selection of animals used for sacrifice in the Bible: “God said, the bull is pursued by the lion, the goat by the leopard, the sheep by the wolf; do not sacrifice to me of the pursuers but of the pursued.”⁴⁸ In the Babylonian Talmud (redacted between the 6th and 8th cents.), the importance of the prohibition of consuming crawling animals is explained by the claim that “they are disgusting

⁴³ Bockmuehl, “Natural Law,” 36; see his citation of E. E. Urbach, n. 42. In several traditions, the rabbis emphasize that the commandments should be performed because of their divine origin and not for a substantial reason; see *Sifra*, Ahre Mot 9.10, b. *Yoma* 67b. For rabbinic epistemology as more “nominalist” than “realist,” see Christine Hayes, “Legal Realism and the Fashioning of Sectarians in Jewish Antiquity,” in *Sects and Sectarianism in Jewish History* (ed. Sacha Stern; IJS Studies in Judaica 12; Leiden: Brill, 2011) 119–46.

⁴⁴ On particularism and universalism in rabbinic texts, see Marc Hirshman, *Torah Lekhol Ba’e Ha’olam. Zerem Universali Besifrut Hatanna’im Veyahaso Lehokhmat Ha’anim* (Torah for the entire world: a universalist school of rabbinic thought) (Tel Aviv: Hakibbutz Hameuchad, 1999). I use the terms without any value judgment.

⁴⁵ *Lev. Rab.* 13.2–3.

⁴⁶ Rosenblum, “Why Do You Refuse”; Misgav Har-Peled, “The Dialogical Beast: The Identification of Rome with the Pig in Early Rabbinic Literature” (Ph.D. diss., Johns Hopkins University, 2013) 48–60.

⁴⁷ *B. Shabb.* 86b, b. *Nid.* 34b; b. *Avod. Zar.* 31b.

⁴⁸ *Lev. Rab.* 27.5; see also b. *B. Qam.* 93a. All translations from the Hebrew are by the author. I thank Reuven Kiperwasser for this reference.

[מְאִיָּת] to eat,”⁴⁹ and Gentiles are said to be “polluted” (מְזֻהָּמִים) because they eat abominations and crawling animals.⁵⁰ These sayings, however, merely indicate that Jews saw prohibited animals as disgusting, not that this disgust was perceived to be the reason for their prohibition.

If there are few attempts in rabbinic literature to root the dietary laws in nature, we may also expect few arguments for the validity of these laws from primeval settings such as Noah’s ark.⁵¹ Indeed, though the question of Noah’s animals does come up, it is rarely linked to the practice of the dietary laws. For most Amoraic rabbinic sources (4th–6th cents.), the challenge is not to anchor impurity in nature, but rather the opposite: to restrict impurity laws to Jews by denying Noah, seen as an archetypical Gentile, any involvement in them.⁵² Here, the concern for maintaining Israel’s uniqueness appears to overcome polemical interests. However, in poetic texts of a similar period (5th–7th cents.), in a later midrash (8th cent.), and in even later Karaite tracts (9th–10th cents.), polemical interests appear to come to the fore, and we find arguments for the naturalness of the dietary laws linked to the primeval context of creation or of Noah’s ark, without regard for the problem this may create for the status of the dietary laws as intended for Jews only.

What may be the earliest tradition on Noah’s animals is handed down in the Palestinian Talmud, edited by the end of the fourth century; this tradition does attribute to Noah’s time a differentiation between pure and impure animals, but regarding sacrifice and not human consumption. Seeking proof for a tradition that only pure species were allowed to be sacrificed on a private altar, the Talmud turns to Noah: “R. Abba, the son of Rabbi Papi, R. Yehoshua of Sakhnin in the name of R. Levi: Noah concluded a teaching from a teaching. He said, I was already told ‘all is given to you as green grass’; for what purpose did the verse require a large

⁴⁹ *B. B. Mets.* 61b; see Sacha Stern, *Jewish Identity in Early Rabbinic Writings* (AGJU 23; Leiden: Brill, 1994) 56–58. For the dating, see David Weiss Halivni, *The Formation of the Babylonian Talmud* (New York: Oxford University Press, 2013). The sayings are anonymous, signaling that they may have been added quite late in the redaction process.

⁵⁰ *B. Shabb.* 145b. See also *b. Shabb.* 90b, where the eating of a live grasshopper is prohibited based on Lev 11:43, “You shall not make yourselves detestable [נַקְרֵת הָל] with any creature that swarms” (NRSV), even though there is no formal reason for this prohibition. This appears to be a prohibition of disgusting things, as in *b. Mak.* 16b.

⁵¹ For earlier Jewish conceptions of pre-Mosaic law, see Gary A. Anderson, “The Status of the Torah before Sinai: The Retelling of the Bible in the Damascus Covenant and the Book of Jubilees,” *DSD* 1 (1994) 1–29.

⁵² The well-known “seven commandments of the sons of Noah” do not include the dietary laws, beyond the prohibition of eating the limb of a live animal; see *t. Avod. Zar.* 8.5–8; *b. Sanh.* 56a–59a; and David Novak, *The Image of the Non-Jew in Judaism: An Historical and Constructive Study of the Noahide Laws* (Toronto Studies in Theology 14; New York: Mellen, 1983). For the restriction of dietary laws to Jews in rabbinic literature, see Jordan Rosenblum, *Food and Identity in Early Rabbinic Judaism* (Cambridge, U.K.: Cambridge University Press, 2010) 68–73.

number of pure animals? It must have been for sacrifice!"⁵³ For this tradition, although Noah infers that God requires pure animals for his own "consumption," a special diet is not yet required of humans. Noah's animals are not utilized for the universalization of the dietary laws, even though Noah is said to recognize the distinction between them.

Another tradition is cited in the Babylonian Talmud in the name of third- and early fourth-century figures. Here the Talmud directly addresses the meaning of "pure" and "impure" in Noah's time:⁵⁴

But were there pure and impure at that time? R. Shmuel son of Nahmani said in the name of R. Yonatan: [the pure were] of those that would be made pure in the future [*שְׁתִירִין לַיְתָהָר*].

How did they know [which would be pure]? According to [the saying of] R. Hisda, who said: he passed them in front of the ark; any [animal] which was accepted by the ark was known to be pure, and if not—it was known to be impure.

R. Abahu said, the verse reads: "and those who came, male and female": those who came by their own will.⁵⁵

Although R. Yonatan's answer identifies Noah's animals with those of Leviticus, it would appear that their purity or impurity did not have any dietary implications for Noah or his generations; such implications would only be actualized "in the future." As opposed to the tradition in the Palestinian Talmud, R. Hisda and R. Abahu do not give Noah's reason any role in choosing the animals. Future impurity was simply revealed by God through the agency of the ark or the animals themselves, and human reason or animal nature did not determine it in any way.

In texts of a poetic genre and probably of later provenance, we start to find an assertion of the natural background of the dietary laws together with a particularistic attitude. The earliest evidence of such an attitude is found in the *piyyutim* of Yose ben Yose, written in the fifth or sixth century, which note a distinction between pure

⁵³ y. *Meg.* 1.10/72b, ms Leiden 330v. See the similar tradition on sacrifice, but without the emphasis that all animals are allowed for eating, in *Gen. Rab.* 26.1, 34.9. The tradition is found also in the 6th cent. poet Yannai, *qerovah* for Gen 8:15, in *Mahzor Piyyute Rabbi Yannay Latorah Velamo'adim* (The Liturgical Poems of Rabbi Yannai according to the triennial cycle of the Pentateuch and the holidays) (ed. Zvi Meir Rabinovitz; 2 vols.; Jerusalem: Mossad Bialik, 1985–1987) 1:94, and in the later midrashim *Tanh.*, *Vayaqhel* 6; *Exod. Rab.*, *Vayaqhel* 50.2; and *Midr. Ps.* 1.

⁵⁴ b. *Zevah*. 116a, ms Vatican Ebr. 120–21, 079R. Cf. b. *Sanh.* 108b, where a somewhat different tradition is cited in the name of R. Yonatan and R. Hisda. The methodological question of whether we can trust the ascription to the earlier cited figures is a general one in talmudic studies; see, e.g., the articles in *Historical Syntheses* (ed. Jacob Neusner; vol. 2 of *Judaism in Late Antiquity*; HO 17; Leiden: Brill, 2001) 2:123–32. In this case, the existence of two different traditions in the name of the same figures would indicate that one of them is spurious and later, though it is difficult to say how late (to a *terminus ad quem* of the redaction, 6th–8th cents.) and which tradition is the original one.

⁵⁵ R. Abahu's emphasis on the animals' independence, which renders Noah's knowledge irrelevant, is similar to that of Christian exegetes (above, n. 29). Similarly, for *Tg. Ps.-J.* Gen 6:20, the animals were brought to the ark by an angel.

and impure animals already at the time of their creation.⁵⁶ The main emphasis in these descriptions is that dietary distinctions were created for Israel, who will be rewarded in the eschaton for keeping them: “you marked out scaled fish for those who acknowledge you [=Israel] / and the *bariach* serpent for an everlasting meal . . . you made known dietary signs for purity / and to the righteous assembly you prepared the *behemoth*”;⁵⁷ or, “he made good things as food for the chosen people / and all as grass for those he despised.”⁵⁸ In these texts, the dietary laws are a token of Israel’s uniqueness and closeness to God. Gentiles can eat whatever they wish, and this expresses their distance from God. Although the dietary laws are primeval, this does not serve to demonstrate the universal potential of the laws, but rather to emphasize God’s choice of Israel as an event deeply rooted in biblical cosmology and encoded in creation.

The traditions found in *piyyut* form the backdrop for the approach of the *Pirqe de-Rabbi Eliezer*, an eighth-century midrash written in the vicinity of Palestine. In his retelling of the story of Genesis, the author of this text separates the creation of pure and impure animals, without special mention of Israel.⁵⁹ Furthermore, the text comments on Noah’s animals, claiming that prior to the flood impure animals were more numerous than pure ones; God, wishing to reverse the situation, commanded Noah to take more of the pure animals.⁶⁰ Here the distinction between pure and impure is assigned a primeval, natural context, and its significance is not restricted to Jews. Still, even here there is no claim that Noah actually maintained a dietary distinction between the animals. For both the *Pirqe de-Rabbi Eliezer* and for the *piyyutim* cited, the existence of primeval and natural distinctions between animals goes hand in hand with a particularist conception of the dietary laws.

The universalist trend becomes significant only in texts written by ninth- and tenth-century Karaites. The Karaites were a Jewish sect that flourished in the East in this period, who believed only in the written Torah and rejected rabbinic interpretations of it. Among their writers, we find a sustained discussion of the status of the commandments before the revelation at Sinai, with a multiplicity of

⁵⁶ For this theme in the *piyyutim*, see Michael D. Swartz, *The Signifying Creator: Nontextual Sources of Meaning in Ancient Judaism* (New York: New York University Press, 2012) 29–31.

⁵⁷ Yose ben Yose, “Attah Konanta Olam Berov Hesed,” lines 17–20, in *Piyyute Yose ben Yose* (Liturgical poems of Yose ben Yose) (ed. Aaron Mirsky; Jerusalem: Mossad Biyalik, 1991) 180–81.

⁵⁸ Yose ben Yose, “Az Beda’at Heqer,” lines 17–20, in *Piyyute Yose ben Yose* (ed. Mirsky), 224–25. For other examples, see Yose ben Yose, “Azkir Gevurot Eloha,” lines 29–30, in *Piyyute Yose ben Yose* (ed. Mirsky), 132; Yannai (in *Piyyute Rabbi Yannay* [ed. Rabinovitz], 1:87, lines 40–42); Pinhas Hacohen, “Seder Ha’avodah,” lines 59–68, in *Piyyute Rabbi Pinhas Hacohen* (The liturgical poems of Rabbi Pinhas Hacohen) (ed. Shulamit Elizur; Resources for the Study of the Culture of Israel 8; Jerusalem: World Union of Jewish Studies, 2004) 412–13.

⁵⁹ *Pirqe R. El.* 10–11 (in “Pirqe deRabbi Eli’ezer” [ed. Michael Higger], *Horev* 9 [1946–1947] 94–166, at 94).

⁶⁰ *Pirqe R. El.* 23 (in “Pirqe deRabbi Eli’ezer” [ed. Higger], 149). See also *Az Be’en Kol*, lines 176–77 (ed. Yoseph Yahalom; Jerusalem: Magnes, 1996) 81, which differentiates between the minority of pure and the majority of impure animals, without mentioning Israel.

views.⁶¹ Some believed that the whole Torah was already known to Adam, others that Adam knew only the more “rational” commandments; still others thought that the commandments were revealed little by little, according to the needs of each generation. A fragment of an anonymous Karaite commentary found in the Cairo Genizah, dated to the ninth century, uses Noah’s animals as proof that the dietary laws were already commanded to Adam: “The purity and the impurity of animals and birds is ancient; from the day Adam was created he knew what is pure and what is impure, as is written, ‘of the pure animals you should take seven each.’”⁶² Another fragment reads the verse “Every moving thing that lives shall be food for you” (Gen 9:3) against its simple meaning, and glosses “that lives” as “that is pure”;⁶³ it thus restricts Noah’s food to pure animals only.

To my knowledge, these fragments are the only Jewish sources of the period that place the distinction between pure and impure already in Adam’s time and accordingly claim an obligation for Gentiles to keep some of the dietary laws. For the writers of these texts, naturalness and universalism are necessarily linked to each other.

The sources surveyed here demonstrate that, as opposed to Christians, Jewish writers of the first millennium rarely saw a need to link the purity or impurity of Noah’s animals with either human or animal nature. Though the exegetical difficulty they encountered was similar to that encountered by Christians, they typically preferred a solution from revelation rather than reason or nature, making Noah not a precedent for dietary laws but a temporary anomaly, occasioned by the need to sacrifice pure animals after the flood. While later sources do have a tendency to anchor Jewish dietary laws in the facts of creation, this does not entail a universal application of the laws but rather validates Jewish practice. The more polemical Christian perspective on the dietary laws in eighth-century texts is paralleled to some extent by the link to nature found in contemporary Jewish texts; however, even these later texts are more reserved, and certainly less explicitly polemical, than the arguments of the Jew portrayed in the *Disputation of Sergius*.

⁶¹ Yoram Erder, “Early Karaite Conceptions about Commandments Given before the Revelation of the Torah,” *PAAJR* 60 (1994) 101–40. The most sustained discussion extant is that by 10th-cent. Karaite scholar Ya’qub al-Qirqisani, *Kitab al-anwar wal-maraqib* (The book of lights and watchtowers), of which the relevant passages are translated in Georges Vajda, “Études sur Qirqisāni IV,” *REJ* 120 (1961) 211–57, at 234–57. On contemporary discussions of the matter influenced by *kalam* philosophy, apparently rabbinic, see Haggai Ben-Shammai, “Some Genizah Fragments on the Duty of the Nations to Keep the Mosaic Law,” in *Genizah Research after Ninety Years: The Case of Judaeo-Arabic; Papers Read at the Third Congress of the Society for Judaeo-Arabic Studies* (ed. Joshua Blau and Stefan C. Reif; Cambridge Oriental Publications 47; Cambridge, U.K.: Cambridge University Press, 1992) 22–30.

⁶² Jacob Mann, “Early Karaite Bible Commentaries,” *JQR* 15 (1924–1925) 361–88, at 372, frg. C, lines 10–15.

⁶³ Ibid., 371, frg. A, lines 21–25.

■ Islamic Sources

The turn to nature for supporting dietary positions in eighth-century Christian and Jewish texts should be seen against the background of the religious upheaval of the period: the rise and spread of Islam, which saw itself as both continuing and challenging Judaism and Christianity.

In early Islam, as in Christianity, dietary laws were linked to conceptions of human nature, animal nature, and primeval precedent. The universalist aspirations of Islam, for which Islamic revelation and law is intended for all humankind, made such natural foundations expedient.⁶⁴ Islamic dietary law is based on the precepts of the Qur'an, which prohibits the consumption of blood, improperly slaughtered meat, animals not slaughtered in God's name, and pigs (2:173, 5:3, 6:145, 16:115). Among these, only the pig is said to be abominable (*rijs*, 6:145), and it is the only animal categorically prohibited for consumption. Though the special status of the pig would indicate that it was seen as naturally impure, this is nowhere spelled out.⁶⁵ However, the Qur'an emphasizes that livestock were created by God for food, for clothing, and as beasts of burden (16:5–8, 39:6), and that only those that were created for food should be eaten (6:142–3). The sea, too, was created to produce tender meat (16:15). Thus the facts of creation are linked directly to Qur'anic dietary conceptions, even if not to all dietary law.

As in Christian tradition, the Qur'an claims that the Levitical dietary laws are not rooted in nature: they are God's punishment (4:160, 6:147)⁶⁶ and human rather than divine: "All food was lawful to the Israelites, except what Israel made unlawful for himself before the Torah was revealed."⁶⁷ In any case, here the Jewish laws are the result of a specific and temporary occasion and do not reflect universal law; natural Qur'anic law is therefore opposed to artificial Jewish law.

Eighth- and ninth-century legal discussions of dietary issues in Islam examine possible expansions to the list of prohibited animals. Thus, all Islamic legal schools agree that wild animals "with a canine" and domestic asses are prohibited, with a near-consensus on the mule, birds of prey "with a talon," creeping animals, serpents, and foxes.⁶⁸ These prohibitions are frequently based on the prophetic tradition

⁶⁴ For nature and Islamic law, see Anver M. Emon, *Islamic Natural Law Theories* (Oxford: Oxford University Press, 2010).

⁶⁵ I use the term "impure" nontechnically, to refer to the abomination of certain foodstuffs; Islam also has an immense body of law dealing with the purity required for prayer, in which some substances from some animals are considered defiling. For the relationship between these areas, see Ze'ev Maghen, "First Blood: Purity, Edibility, and the Independence of Islamic Jurisprudence," *Der Islam* 81 (2004) 49–95.

⁶⁶ See Ze'ev Maghen, *After Hardship Cometh Ease: The Jews as Backdrop for Muslim Moderation* (Studien zur Geschichte und Kultur des islamischen Orients 2/17; Berlin: De Gruyter, 2006) 146–60.

⁶⁷ 3:93; translation mine. On this verse and its exegesis, see Brannon M. Wheeler, "Israel and the Torah of Muhammad," in *Bible and Qur'an: Essays in Scriptural Intertextuality* (ed. John Reeves; SBLSymS 24; Atlanta: SBL, 2003) 61–85; Maghen, *After Hardship Cometh Ease*, 102–22.

⁶⁸ According to traditions related in the hadith collections of the late 8th and 9th cents.: Malik, *Muwatta*, 25.4–5; *Sahih al-Bukhari* 7.67.426–44; *Sahih Muslim* 21.3–8; and *Sunan Abu Dawud*

without much explanation, but when discussing more controversial cases, certain reasons are invoked. This allows some insight into possible considerations behind the prohibitions, some of which are quite similar to ideas found in the Christian tradition.

First, carnivorousness is clearly the criterion behind the prohibition on wild animals with canine teeth and birds with claws, and this is brought out by Al-Shafi'i, an important jurist of the late eighth century.⁶⁹ Second, a scriptural basis for further prohibitions is found in the Qur'an's general statement that the Prophet "makes lawful the good things [*al-tayibat*]" for the believers, but prohibits "the disgusting ones [*al-khaba'ith*.]"⁷⁰ The lack of determination as to which foods are "disgusting" allowed widely varying interpretations. Al-Shafi'i explains that this should be read in its historical context: the "disgusting" things are those that the Arabs of the time saw as such.⁷¹ The Maliki school, however, restricts the application of this verse only to foods prohibited by the Qur'an in any case, while other schools apply it much more widely. Third, some traditions relate that the Prophet forbade eating camels and other permitted animals that habitually eat dung,⁷² though chickens are permitted despite their acknowledged tendency to do so.⁷³ As in the Christian exegetical tradition, carnivorousness, human disgust, and an animal's diet are all significant criteria.

In order to find natural and primeval explanations for the pig's unique status in Islamic culture, we must turn to early Islamic folklore and zoology. Al-Jahiz, a prolific writer of the ninth century, dedicates a large section of his compendious *Book of Animals* to the pig.⁷⁴ For Al-Jahiz, the primary indication of pigs' negative nature is that God chose them (together with monkeys) as objects for the metamorphosis of sinners, even though other animals (such as flies or mosquitoes) would have been a fitting punishment as well. This proves that abstinence from pigs' meat is not simply a matter of accepting God's will, but reflects the essence (*jawhar*) of the animal.⁷⁵ Two further explanations are provided for the abomination of pigs rather than monkeys. First, the pig was commonly eaten by the pre-Islamic Arabs

⁷⁴ 3776–800. See Michael Cook, "Early Islamic Dietary Law," *Jerusalem Studies in Arabic and Islam* 7 (1986) 217–77; Mohammed H. Benkeira, "Alimentation, altérité et socialité. Remarques sur les tabous alimentaires coraniques," *European Journal of Sociology* 38 (1997) 237–87.

⁶⁹ Shafi'i, *Al-Umm* (7 vols.; Cairo: Bulaq, 1907) 2:219.

⁷⁰ 7:157; translation following Cook, "Early Islamic Dietary Law," 219.

⁷¹ Shafi'i, *Al-Umm*, 2:208, 220.

⁷² *Sunan Abu Dawud* 27.3776–8.

⁷³ *Sahih al-Bukhari* 7.67.426–27.

⁷⁴ Al-Jahiz, *Kitab al-Hayawan* (The book of animals) (7 vols. in 2; Cairo: Al-Hamidiyah al-Misriyah, 1905–1907) 4:36–97. Excerpts of this book are translated by Lakhdar Souami, *Le cadi et la mouche. Anthologie du Livre des animaux* (Paris: Sinbad, 1988); for the pig, see 331–35.

⁷⁵ Al-Jahiz, *Kitab al-Hayawan*, 4:37–40, 97. I thank Yonatan Furas for his help with understanding these passages. Although the Qur'an speaks only of past occurrences in which people were metamorphosed into monkeys and pigs, the concept was developed in early Islamic literature to include other animals in the present as well, and even to claim that many or most animals of a

and by other peoples (such as Christians) as well, and indeed prized as a delicacy, while the monkey was not commonly eaten; therefore only the former required prohibition.⁷⁶ Second, the pig's characteristics set it apart: it is especially ugly, sexually depraved, eats dung and vermin, and is also dangerous and harmful to crops.⁷⁷ Thus the prohibition of the pig is rooted in its nature and behavior.

The pig's eating habits and ugliness were, moreover, reflected in Islamic traditions on Noah's ark. The Qur'an, which refers several times to the deluge story, only states that all species were summoned and that each was to be represented by a male and a female.⁷⁸ Islamic folklore, however, greatly expands the Qur'anic narrative. A story first cited by Al-Jahiz in the name of "certain commentators" runs as follows:

The passengers of Noah's ark were inconvenienced by the great number of mice. . . . God told Noah to order the lion to sneeze, which he did; out of his nose came a male and female cat . . . but the odor of the cats' dung bothered the passengers, who turned again to Noah. He further beseeched God, who told him to order the elephant to defecate. Out of the elephant's dung were born a pair of pigs, who eliminated the odor of the cats' dung.⁷⁹

The pig did not exist before the flood; it was created on the ark in a strange and disgusting metamorphic act. This secondary creation of the pig is closely connected to its despicable food; its food is the very reason for its existence. While there is no explicit link between the ignominious origin of the pig and its contemporary prohibited status, this is clearly in the background. Later iterations of the story include such a link. Thus, in the rather more colorful version appearing in Hermann of Carinthia's *Book of the Teaching of Muhammad*, a twelfth-century Latin translation of an apocryphal tenth-century dialogue between Muhammad and a Jew, the story is told specifically to explain why pigs are prohibited to both Jews and

certain species were of metamorphic origin and therefore should not be eaten. See Michael Cook, "Ibn Qutayba and the Monkeys," *Studia Islamica* 89 (1999) 43–74, at 51–58; idem, "Early Islamic Dietary Law," 222; and Uri Rubin, "Apes, Pigs, and the Islamic Identity," *IOS* 17 (1997) 89–105.

⁷⁶ Al-Jahiz, *Kitab al-Hayawan*, 4:41–42, 61, 94–96; 1:234. This is diametrically opposed to the logic of al-Shafi'i, above n. 69.

⁷⁷ Al-Jahiz, *Kitab al-Hayawan*, 4:40–41, 49–52; 1:234.

⁷⁸ Qur'an 11:40.

⁷⁹ Al-Jahiz, *Kitab al-Hayawan*, 5:347–48; translation mine. Al-Jahiz remarks that the story is "widely known in the marketplace and among popular storytellers" (see 7:204, where the elephant is called "the pig's father"). In later sources, the story is recounted by one of Noah's sons, who was resurrected by Jesus in order to relate the occurrences on the ark; see al-Tabari, *Tarikh al-Rusul wa-al-Muluk* (The history of the prophets and the kings), 188 (in *General Introduction and From the Creation to the Flood* [trans. Franz Rosenthal; vol. 1 of *Tārīkh al-Rusul wa-al-Mulūk*; SUNY Series in Near Eastern Studies, Bibliotheca persica; Albany: State University of New York Press, 1989] 357). No earlier source of the story is known; however, a similar story is found in ms Mingana Syr. 4, 110a–b, in the name of Ephrem (probably an exegesis of Num 16:30): "A new creation which was not until now. Moses asked this [of God] for the cleanliness of the camp, and God created for them many pigs in the desert, which cleaned the camp. This is why the Jews do not eat pigs' meat"; translation mine.

Muslims.⁸⁰ Here, more forcefully than in the Jewish tradition, the pig's "natural" source and behavior are the reason for its special dietary status.

Both legal texts and folklore from eighth- and ninth-century Islamic writers link the dietary prohibitions of animals with their natural and primeval characteristics. For Muslim writers, the turn to nature was less problematic than for Christians or Jews: they did not inherit an antinatural position on impurity as did the Christians, or perceive the dietary laws as relevant to Jews only, as did most Jewish sources. The utilization of nature by the rising religious force may have led writers of other religions in the region to perform a similar move.

■ Conclusions

The question posed in the title of this article was answered in a surprising number of ways by commentators in late antiquity—a pair of pigs, seven pairs, or no pigs at all. In the period between the seventh and ninth centuries, Christian, Jewish, and Muslim writers sought to anchor their dietary observances in conceptions of nature, allowing them to justify these observances to themselves and to external disputants. Nature could be approached in three ways: through an early sacred history of patriarchs universally accepted as role models—in this case, the story of Noah's ark; through the observable behavior of animals—in this case, their eating habits and fertility; or through human nature or feelings of disgust, which were seen as universal. Christians and Muslims sought to integrate these dimensions of naturalness so that the source for animal behavior could be found in sacred history; Jews were less eager to do so.

Confronted with the need to explain the diversity of animal behavior and dietary practice, late ancient religious traditions postulated (to a greater or lesser degree) a second creation or value ascription in Noah's ark, which was conveniently located in an ambiguous point in time: it is primeval enough to have decisively influenced the animals' natures but historical enough not to pose a problem of evil creation by a good God.

While there is evidence for Jewish participation in this discourse on nature, there is an inherent ambivalence between a particularist and universalist approach: the argument from nature or from Noah is useful for justifying the dietary laws, but it leads to the problematic conclusion that they are valid for all humans and not only for Jews. No such ambivalence is found in the Islamic or the Christian sources, which are unashamedly universalist. In many Christian and Jewish texts, as opposed to the Islamic tradition, we find attempts to steer away from a direct commandment to Noah concerning dietary observances, giving more room for his personal agency; this allows interpreters more freedom in particularizing Noah's situation to his culture and time.

⁸⁰ *Liber de doctrina Mahumet*, published by Theodore Bibliander, *Machumetis Saracenorum principis eiusque successorum vitae ac doctrina* (3 vols.; Basel: Oporin, 1543) 1:197.

Review Essay*

Billy Graham as American Religious and Cultural Symbol

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Writing a biography challenges us in fundamental ways as scholars of religion, as historians, and as human beings. We are forced to reckon with the implicit and explicit theological commitments of religious persons, the ways they inhabited the world, the sometimes “strange country” that is the past, and the varied ways in which our subjects took for granted things by which we find ourselves and our age so troubled. While we may eschew “taking sides” in our attempts to be good scholars and under the noble goal of not wanting simplistically and reflexively to impose our contemporary moral judgments upon figures from the past, we cannot avoid discussing the moral choices historical actors made, assessing their prominence in their time, their influence on their broader surroundings, and their legacy beyond their times. All of these factors have great bearing on how we narrate the lives of historical figures and how we represent them in the present. James Baldwin’s impassioned claim that it is with “great pain and terror [that] one begins to assess the history which has placed one where one is, and formed one’s point of view”¹ might sound a bit overly deterministic, but it is worth remembering when thinking self-consciously about how we critically assess and evaluate those about whom we write. Grant Wacker’s new biography of Billy Graham, *America’s Pastor*, invites the reader along to grasp more fully what this looks like as Wacker, a self-described “partisan of the same evangelical tradition Graham represented,”²

* Grant Wacker, *America’s Pastor: Billy Graham and the Shaping of a Nation* (Cambridge: Belknap of Harvard University Press, 2014). 413 pp. \$20.93 hb.

¹ James Baldwin, “The White Man’s Guilt,” *Ebony* (August 1965) 47–48, at 47.

² Wacker, *America’s Pastor*, 3.

masterfully evokes and unfolds Graham as a shaper of public consciousness and a spokesperson for millions of “ordinary Americans.”³ This work possesses the virtues of the careful and considered reflections of a seasoned historian’s analysis of the life of a famous religious leader who is deeply admired by many Americans. It is about the closest we will get to a full appreciation of Graham the man and Graham the icon.

Wacker’s book enters an already crowded field, especially among works that examine the rise of conservative Christianity in post-1960s America and the emergence of the Christian Right. To begin with a well-received book, Darren Dochuk’s *From Bible Belt to Sun Belt*⁴ opens with Billy Graham, with his pronounced North Carolina accent and the animated gestures of a southern Baptist preacher, holding forth and preaching a rousing message to fifty thousand Southern Californians in 1969. Graham was speaking about the second coming of Christ and he ended his message with a call for a personal commitment to Jesus as one’s Lord and Savior. Thousands affirmatively responded to his call. Although Dochuk’s book explains why Southern California proved so welcoming to Graham and what this region meant for evangelical religion, it also demonstrates the crucial role that Graham played in post-1960s America. As Dochuk writes of the consequences of Graham’s 1969 crusade: “Graham championed the vision of a creative society, one in which racial gaps were bridged though changed attitudes, evangelical political activism was made respectable, and Christian virtues of personal initiative and community responsibility were lifted up as the answer to society’s troubles.”⁵ For Dochuk, then, Graham is a figure who played an enormously important symbolic and actual role in the transformation of American society in the post-civil rights era.

Building on this theme of influence, other works assess Graham’s role in the emergence of the Christian Right. Daniel K. Williams’s *God’s Own Party*⁶ introduces Graham as a bridge figure who moved northern fundamentalists from their separatism into a new evangelical identity. Williams argues that Graham’s Christian Americanism was significant for a number of reasons. First, though he preached a simple message of repentance and commitment to Christ, he provided a new twist on old revival themes. He called not simply sinners to repentance, but an entire nation. As Williams writes, for Graham “the nation needed a spiritual revival in order to become a beacon of light and a leader in the fight against communism.”⁷ Thus Graham’s early public prominence and his ministry in the 1950s infused the anti-Communist struggle with an “underpinning of evangelical theology” and

³ Ibid., 2.

⁴ Darren Dochuk, *From Bible Belt to Sun Belt: Plain-Folk Religion, Grassroots Politics, and the Rise of Evangelical Conservatism* (New York: Norton, 2011).

⁵ Ibid., 291.

⁶ Daniel K. Williams, *God’s Own Party: The Making of the Christian Right* (Oxford: Oxford University Press, 2010).

⁷ Ibid., 23.

made it a religious duty for the nation and the churches to fight communism.⁸ For Williams, Graham's particular historical significance rests on his identification of Christianity with American ideals, which earned him widespread acclaim, especially among senators and governors. Graham made evangelicals respectable, pushed them out of their isolation, and urged and helped them (through his own relationships with political figures including presidents) to become full participants in the political system.

Similarly, the Graham in William Curtis Martin's *With God on Our Side*,⁹ which is essentially drawn from his biography of Graham, *A Prophet with Honor*,¹⁰ first appears as a Youth for Christ preacher who is trying to save America's youth from the temptations of consumerism and materialism, but he ends as a close friend of presidents and prominent persons. His principal role for Martin, however, is one who moved in the corridors of political power and who enabled evangelicals to regain a cultural hegemony that they had not known outside the South since the Civil War. This Graham, while calling America to repentance, refused to engage in the hard-edged critique put forth by the fundamentalists, abandoned and repudiated the segregationist thought of his native South, and packaged the new evangelical message of salvation through Christ in a winsome manner that appealed to a broad segment of America.

One may well ask, do we need another biography of Billy Graham? Can we learn more than what Martin instructed us about Graham in his massively researched *A Prophet with Honor*, which is a more standard chronological biography of Graham's private and public life? Another important work, Steven P. Miller's *Billy Graham and the Rise of the Republican South*,¹¹ also probes Graham's role in the emergence of a conservative religious and political culture in the South since the 1950s, and then charts his prominence as a national figure. Then too there are the many books that examine Graham's evangelistic style, his role in race relations, his beliefs about human sin, and his relationships with American presidents. Among these are *The Legacy of Billy Graham* (ed. Michael G. Long),¹² Long's *Billy Graham and the*

⁸ Ibid. Graham often showed both disgust for and admiration for the commitment and dedication of Communists.

⁹ William Curtis Martin, *With God on Our Side: The Rise of the Religious Right in America* (New York: Broadway, 1996).

¹⁰ William Curtis Martin, *A Prophet with Honor: The Billy Graham Story* (New York: Morrow, 1991).

¹¹ Steven P. Miller, *Billy Graham and the Rise of the Republican South* (Philadelphia: University of Pennsylvania Press, 2009).

¹² *The Legacy of Billy Graham: Critical Reflections on America's Greatest Evangelist* (ed. Michael G. Long; Louisville: Westminster John Knox, 2008).

Beloved Community,¹³ Andrew Finstuen, *Original Sin and Everyday Protestants*,¹⁴ and Nancy Gibbs and Michael Duffy, *The Preacher and the Presidents*.¹⁵ What can be added?

The first answer to be given is that Grant Wacker's *America's Pastor*, even taken alongside these other works, is unique in its analysis of Graham's life as a biography of changes in American culture since the 1950s, particularly in its subtle and engaging evaluation of the longevity and appeal of a certain leadership style in American history, and in its charting of changes and tensions in Graham's life as a way of assessing the growth and cultural legitimacy of evangelical Protestantism in the post-civil rights years. Wacker's reputation as one of the leading historians of American religion, especially for his book *Heaven Below*,¹⁶ makes him uniquely qualified to write this kind of cultural biography.

Wacker's work addresses three major queries: 1) How did Graham become the most powerful and notable preacher in America? 2) In what ways did Graham expand traditional evangelical rhetoric into the "moral vocabulary" of many Americans for whom it increasingly made sense of their private and public lives? 3) How did Graham help shape the culture that created him and that he in turn helped form? In other words, how did he speak for and to modern Americans? Wacker's thesis is summarized in the following way: "Graham displayed an uncanny ability to adopt trends in the wider culture and then use them for his evangelistic and moral reform purposes."¹⁷ Taken alone, this thesis gives the impression that Graham was primarily a keen observer of already existing trends and adapted his message to those developments, but a careful reading of the remainder of the book indicates that for Wacker Graham exerted an enormous influence in shaping American culture and in channeling and articulating the religious sensibilities and moral grievances of a number of Americans. In some ways, Wacker's book is a study of leadership qualities that many Americans find appealing. But fundamentally, it is about Graham's influence and his relationship to American culture. Graham's ability and willingness to legitimate, sanction, and censure certain behaviors, persons, and trends—conferring status on certain presidents, accepting particular wars, condemning racial prejudice, and lending his prestige to civic events, among other things¹⁸—are for Wacker crucial measuring devices of his influence. Thus Graham

¹³ Michael G. Long, *Billy Graham and the Beloved Community: America's Evangelist and the Dream of Martin Luther King, Jr.* (New York: Palgrave Macmillan, 2006).

¹⁴ Andrew Finstuen, *Original Sin and Everyday Protestants: The Theology of Reinhold Niebuhr, Billy Graham, and Paul Tillich in an Age of Anxiety* (Chapel Hill, N.C.: University of North Carolina Press, 2009).

¹⁵ Nancy Gibbs and Michael Duffy, *The Preacher and the Presidents: Billy Graham in the White House* (New York, Center Street, 2007).

¹⁶ Grant Wacker, *Heaven Below: Early Pentecostals and American Culture* (Cambridge: Harvard University Press, 2001).

¹⁷ Wacker, *America's Pastor*, 28 [the original is italicized].

¹⁸ Ibid., 24–25.

appears as a representative voice for millions of Americans and simultaneously a singular American whose influence transcended national boundaries.

The book is divided into eight chapters: preacher, icon, southerner, entrepreneur, architect, pilgrim, pastor, and patriarch. I postpone a discussion of Graham as a preacher for a later section of this review, but a few words about his status as an icon are illuminating for Wacker's treatment of Graham and for the role Graham played in American culture. Graham's public visibility and influence are evident over a period of four decades or more when the rise of electronic media—radio, movies, and television—facilitated the transmission and dissemination of information and helped construct celebrity personalities. Graham fully utilized all of these media, from his popular *Hour of Decision* radio broadcast in the 1950s to the later television broadcasts of his crusades. Graham founded and wrote for magazines, published books, and traveled widely. His presence and seeming ubiquity go a long way in accounting for his popularity, but as Wacker notes, as a religious icon, Graham and others were distinguished from other celebrities in that they "stood somehow above and apart from mundane affairs" and they carried an "aura of veneration" for many.¹⁹ Perhaps this should be qualified with the claim that some wanted them to appear this way. Graham certainly was not above mundane affairs, particularly in his relationships to presidents. And yet, Graham did portray and feel that his life was the result of a calling, that he was providentially chosen by God to be an evangelist and speaker of truth to the nation.²⁰

Although the title, *America's Pastor*, might suggest that Graham's role as pastor was his most significant one, Wacker writes that the "pastoral office played the least important of his story."²¹ Yet Wacker is keenly interested in how people in Graham's audience saw him as a pastoral figure and what they wanted from him. It is this "America" and its desires for a certain kind of pastor that the biography examines. These "Heartlanders," as Wacker refers to them, supported Graham, expected certain things from him, and shaped his ministry in very particular ways. They were the "middling folk" or mostly middle-class white persons who appeared primly dressed in Sunday clothes and who promoted sobriety and propriety.²² What exactly did these people expect from Graham? Why did some make the effort to go to his crusades? And what did he provide for them? The answers varied. Some sought advice for practical living, ranging from issues of loneliness to struggle with addictions. For Wacker, Graham called for radical change in their lives and challenged them to commit to something deeper than a nominal Christian faith (many of those who "dedicated" their lives to Christ at his crusades were already professing Christians). He charged his listeners to choose the Christian gospel, or at

¹⁹ Ibid., 68.

²⁰ Ibid., 69.

²¹ Ibid., 249.

²² Ibid., 250.

the very least “any goal larger than personal self-fulfillment.”²³ Graham thus played a central role in the lives of many Americans who sought help in the struggles of their personal lives. That basic fact must be emphasized. Wacker adds that Graham as a public pastor was all too willing to assist these people as he brought to bear his “uncanny ability to discern the desperation of personal struggles to break free” of addictions, constraints, and difficult life circumstances.²⁴ This was America’s pastor, who both comforted many and “challenged them to live up to their self-professed values of biblical equality, moral integrity, and social compassion.”²⁵

Because Wacker’s book is a cultural biography and does not seek to assess Graham’s direct influence in the way that works like Steven Miller’s does, it is useful to rehearse Miller’s more precise claims about Graham’s influence in the political arena in the South to help us reflect more deeply and comparatively on Wacker’s project. For Miller, Graham was a “significant historical figure” who was a “serious actor” and a “powerful symbol” who “contributed more than any other single person to the renaissance of evangelical Christianity in post-World War II America.”²⁶ Even regarding Graham’s personal style and demeanor, Miller captures nicely who Graham was as “one of the most recognizable and respected of Americans, someone who has mingled comfortably with the powerful, while retaining the common touch.”²⁷ Crucially for Miller, Graham was a political and public actor in his own right, not primarily one who was used or duped by political actors. The Graham presented in Miller’s analysis is one who engaged political leaders and pressing issues of his times even while weighing such activism in light of his higher priorities as an evangelist. Miller thus gives Graham’s own notion of the social and spiritual good serious attention as he helps us think through how Graham strategically employed his evangelistic skills and his popularity to challenge the nation to live up to his conception of the good society.

My extended comparison of Miller’s book with Wacker’s work rests on my belief that Miller’s book is one of the most compelling analyses of this “renaissance of scholarship” on Graham, which Miller summarizes in his footnotes on recent historiography on Graham. Graham’s regional influence on the South and also his broader status among evangelical Protestants are given much attention in Miller’s work, but the book is about other significant concerns. Its regional focus and its emphasis on sociopolitical change make it a more limited work than Wacker’s, though as just noted, the book is more broadly cast than merely charting Graham’s significance in the South. After all, Graham’s most important contribution to the post-civil rights South, his social ethic of evangelical universalism, helps explain his enormously instrumental role in easing white Americans into a new set of social

²³ Ibid., 276.

²⁴ Ibid.

²⁵ Ibid., 317.

²⁶ Miller, *Billy Graham*, 11.

²⁷ Ibid., 3.

relations where the old order of enforced segregation and racial oppression had to be reckoned with and acknowledged as an integral part of American history. Thus Graham assisted in sustaining and rehabilitating the nation's public image, especially as a conveyor of democratic values, in a world where Communist regimes were making claims of brotherhood and solidarity that transcended national boundaries.

Miller also presents details of the secular corollary of Graham's evangelical universalism, a politics of decency, emphasizing law and order. These concepts require further explanation because I regard them as absolutely crucial as historically significant developments that explain more than any other Graham's popularity within and beyond the South. The ethic of evangelical universalism, as Miller argues, viewed the individual soul as the primary theological and political unit in society, giving preference and priority to relational solutions over legal solutions to social problems. This ethic posited that the most effective form of social change was the conversion of individual souls. This meant also that larger social problems stemmed from core individual ones, and this was a message that Graham championed consistently. This attention to the social efficacy of conversion was important because Graham wanted to recover the lost social status of evangelicalism, as Miller astutely observes, even if he had reservations about the gains of mainline Protestantism and the "social concern" that seemed to him and his peers to crowd out or occupy the same realm as evangelism. His evangelical universalism was a restatement of his belief in the "biblical unity of the human race,"²⁸ which was a critique of southern racial hierarchies and racial practices and a claim that all humans were born sinful and in need of salvation. Graham's ethical universalism served as both a critique of American racism and a furtherance of his evangelistic mission of preaching the gospel to as many people as possible.

Graham's politics of decency consisted of a belief that legally constituted authority was divinely ordained and that respect for law and order was a moral obligation. It was often, as Miller notes, combined with an invocation of evangelical faith "toward moderate ends."²⁹ In the context of the 1960s South, it meant an acceptance of existing civil rights laws, a condemnation of racial violence, and a dismissal of the need for further protests or legislation. It allowed a way out of the segregationist path of the South and opened up new space for moderate conservatism. Given Graham's close relationship with so many American presidents, especially Dwight D. Eisenhower and Richard M. Nixon, and his public pronouncements on nearly all of the contentious issues of his day, Miller reminds us how necessary it is to adopt a "respectful suspicion" of Graham's own comments about the "solely conversion centered" nature of his work and of those who would regard his work as wholly nonpolitical.³⁰ Graham was a political actor, an evangelist, and a regional (and eventually national) leader. Thus no biography

²⁸ As quoted in *ibid.*, 47.

²⁹ *Ibid.*, 65.

³⁰ *Ibid.*, 11.

is complete if it fails to address these intertwined threads of his life. Miller's work brilliantly elucidates this dimension of Graham's life with more depth and insight than Wacker's otherwise fine biography.

Graham as a symbol (I use "symbol" more broadly than "icon," which is the subject of one chapter in the book) comes closest to what Wacker is after—more specifically, Graham as an American religious and cultural symbol. For Wacker, Graham is a kind of Horatio Alger figure, a humble man who rose from simple beginnings and became a model to be emulated. His call for and belief in repentance and new birth in Christ became a symbol for something that all Americans could embrace: the offer of a second chance. He presented them with an opportunity to remake their lives. This was one of Graham's greatest achievements in Wacker's reckoning. He also notes that Graham "more than most other religious leaders of his time . . . helped millions of everyday folks to be American, Christian, and modern all at once."³¹ What is "America" in Wacker's formulation? Who were these everyday folks? And why did they need Graham to make them bring together their national, religious, and personal identities? Is this America to be identified with the white middle-class Christians who went to his crusades and listened to his broadcasts? Wacker's work leaves one with the sense that these followers of Graham felt put upon, taunted, or treated as outsiders in the broader culture; that Graham's dining with presidents and rubbing shoulders with famous persons legitimated him in the eyes of this crowd; and that these "solid, decent, frugal, patriotic and hard-working" folk needed Graham's iconic status to make them feel at home as Americans and Christians.³²

Many readers will want to know more about these "hard-working" folks' grievances and the reasons for their feelings of status anxiety. Was it the legacy of the Scopes trial, the changes in race relations, sexual mores, and gender roles, or a combination of these and more that led to their sense of disfranchisement? Wacker's mostly sympathetic treatment of these faithful and patriotic Americans seems to elide the kind of America that made life so hard and harsh for its many minorities who would have gladly accepted this sense of cultural unease in exchange for the violence and exclusion that was so much a part of their lives.

Graham's narration of the American story anticipated many of the central themes that would become particularly prominent in the rise of the Christian Right in the 1980s: that the nation's blueprint documents, the Declaration of Independence and the Constitution (and the ideals of the founders), were Christian in spirit; that Christian values had shaped the nation's history;³³ and that a massive religious revival was possible to restore the soul of the nation if it only had ears to hear and a heart to receive the Christian message. The nation had providential obligations. Graham repeatedly called the nation to live up to the "moral dimensions of public

³¹ Wacker, *America's Pastor*, 309.

³² Ibid., 254.

³³ Ibid., 225.

questions.”³⁴ This providential conception of the nation did not make Graham unique among American evangelists, but his consistent advocacy of this providential scheme sustained a narrative of national accountability and a view of the nation that demanded a return to its “original vision, the vision that had made the land great.”³⁵ With this backward-looking focus on the founding as divinely ordained and this valorization of the “Christian” origins of the nation, Graham’s narrative, like other providentialist narratives, implicitly minimized the experiences of slavery and racial oppression and often showed little self-awareness of the theological and historical problems this “golden age” narrative creates. Wacker fails to highlight this weakness of the providentialist narrative, though he rightly notes that Graham never uncritically accepted America as a nation without moral responsibilities before a judging God.

Though Wacker provides enormous material on Graham’s varied relationships with political figures, world leaders, and even businessmen, he insists that we take seriously Graham as a preacher, something discussed at length in his very first chapter. Wacker delineates Graham’s core theological message, from which much else flowed in his public ministry. Given the crucial role Graham played as evangelist and preacher, I wish to linger on this point. Graham regarded the Bible as the final source of authority. He repeatedly taught that the Bible’s narrative demonstrates that the first human, Adam, sinned willfully against God, and so did every person after Adam; that human sin and pride corrupted the entire created order; that God in his infinite love provided Jesus, as God and man, to atone for human sin; and that repentance was available to all who accepted Jesus as their personal Savior. Christians could be confident that Jesus would return to the earth in the future and bring an end to human history. In its minimal form, this remained Graham’s central message of personal salvation through Jesus for the length of his entire ministry.³⁶ Wacker suggests, however, that Graham did not simply preach and find converts, but that he altered the “internal culture” of evangelicals, urging them to shift their focus from the “venial sins” of smoking, drinking, dancing, and the like to the “mortal sins” of greed, lust, racism, and faithlessness.³⁷ Was it really Graham’s preaching and ministry that were responsible for this shift? Wacker also argues that Graham helped evangelicals see that “justice for everyone” was hardly a peripheral matter. Might it be more likely that the evolution of the civil rights movement, the emergence of critics of evangelical religion and its role in the South in particular, rising educational levels, and other forces were more responsible than Graham for these shifts in American evangelicalism?

Wacker concludes with the argument that Graham spoke in a register that his listeners could hear, that he “legitimated their social location by guaranteeing that

³⁴ Ibid., 227.

³⁵ Ibid., 226.

³⁶ Ibid., 33.

³⁷ Ibid., 306.

their values would count.”³⁸ Although Graham could be quite animated and harsh when preaching, especially in his early Cold War sermons against Communism, he ultimately was optimistic about America’s future. His relationship with American presidents, his response to critics that he had to be respectful and deferential on occasion to have access to the powerful, and his pastoral role to Heartlanders all place Graham more firmly in the camp of the priestly figure who ministered to and comforted the sometimes wayward nation and a people whose destiny was mostly clear. Prophet is not among the roles Wacker attributes to Graham. Perhaps Martin’s ironic title, *A Prophet with Honor*, is responsible for this choice. After all, the Gospel of Matthew (13:57) has Jesus, after being rejected by the people from his native town of Nazareth, uttering the words that a prophet is *without honor among his own people and in his own town*. Graham, in Martin’s and Wacker’s renderings, was highly honored and admired in his native South and by his own nation. In reflecting on Wacker’s title, *America’s Pastor*, my mind immediately went to Edward J. Blum’s *W. E. B. Du Bois: American Prophet*,³⁹ which strongly asserts that those who heard Du Bois and read his works felt that he was a prophet “seething with spiritual anger”⁴⁰ against the American nation for its white supremacy and economic exploitation. This noted African American intellectual damned the American nation on behalf of blacks, the poor, and the downtrodden. A very different view of the American nation and his relationship to his audience no doubt were crucial factors in why Du Bois held such a distant stance to America as it actually existed up until his death in 1963.

Richard Wightman Fox’s *Reinhold Niebuhr*⁴¹ also invokes the notion of the prophet, noting that even “sober-minded observers” and friends of Niebuhr insisted on calling him a prophet.⁴² Fox’s Niebuhr had a “prophet’s intensity and single-mindedness”⁴³ and desired to follow the prophet Amos in calling upon the nation to practice righteousness.⁴⁴ Although the term “prophet” as an analytical category is ambiguous (except perhaps for specialists in the study of the Hebrew Bible and ancient religions) and the term itself is morally loaded (a prophet for some might easily be a carping critic for others), it is nonetheless illuminating to know that figures such as Du Bois and Niebuhr are more likely to be described in this way than Graham. It probably says more about their relationships to the nation and their audiences, especially Du Bois’s alienated and oppressed audience. Graham’s Heartlanders demanded a more priestly and pastoral figure who assured them of the nation’s fundamental goodness. At the risk of stating the obvious, I must

³⁸ Ibid., 316.

³⁹ Edward J. Blum, *W. E. B. Du Bois: American Prophet* (Politics and Culture in Modern America; Philadelphia: University of Pennsylvania Press, 2007).

⁴⁰ Ibid., 12.

⁴¹ Richard Wightman Fox, *Reinhold Niebuhr: A Biography* (New York: Pantheon, 1985).

⁴² Ibid., x.

⁴³ Ibid.

⁴⁴ Ibid., viii.

admit that these biographical works, especially Wacker's, raise questions about the freedom and individuality of historical subjects in relationship to the constraints of their pasts and personal upbringings and those to whom they are speaking. Do we speak only to our own audiences? What counts for influence and how exactly did Graham really affect evangelicals? Were they affected more by external social and cultural changes than by Graham's preaching? Clearly, Graham himself evolved in certain areas, but precisely how or whether he reached beyond the Heartlanders in Wacker's narrative is not clear and the extent of his being beholden to, rather than challenging, his audience is not always easy to assess, even in Wacker's nearly exhaustive study.

Fox reminds us that a thinker "produces thought, but not simply as an individual product; a set of communities, historic and contemporary, shapes the thought."⁴⁵ Therefore, a good biography must "grasp its subject as producer, but also as one produced by particular life circumstances and cultural resources. It must see him as one whose creativity . . . is the fruit of tradition as much as it is the expression of individual talent."⁴⁶ Is this the Graham we find in Wacker's narrative? At times, yes. Graham rises above his circumstances and is more than the sum of his background and history. If Wacker is right, as I think he is, that Graham, a self-described downhome southerner who once honed his speaking skills by talking to fish in a local pond and who became a world-renowned evangelist, called his core constituents of millions of mostly white, middle-class, moderately conservative Protestants to account on their claims to be good American Christian citizens of the modern world, then he has accomplished that task of the biographer with great skill and sympathy.

⁴⁵ Ibid., xi.

⁴⁶ Ibid.

Books Received

- Alpert, Rebecca T. *Religion and Sports: An Introduction and Case Studies*. New York: Columbia University Press, 2015. 224 pp. \$28.00 pb.
- Ashley, J. Matthew. *Take Lord and Receive All My Memory: Toward an Anamnestic Mysticism*. Père Marquette Lecture in Theology, 2015. Milwaukee, Wisc.: Marquette University Press, 2015. 116 pp. \$15.00 hb.
- Ball, Carol. *Approaching Jonathan Edwards: The Evolution of a Persona*. Burlington, Vt: Ashgate, 2015. 212 pp. \$109.95 hb.
- Barton, John. *Ethics in Ancient Israel*. New York: Oxford University Press, 2014. 316 pp. \$50.00 hb.
- Bock, Veronika et al. eds. *Christliche Friedensethik vor den Herausforderungen des 21. Jahrhunderts*. Studien zur Friedensethik 51. Münster, Germany: Aschendorff, 2015. 265 pp. €46.00 hb.
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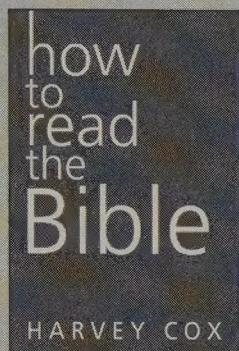
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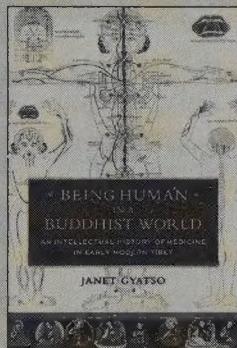
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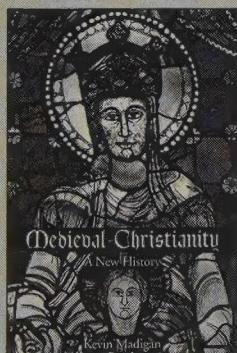
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